



भारत का राजपत्र The Gazette of India

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY



सं० 12]
No. 12]

नई दिल्ली, शनिवार, मार्च 24, 2001/चैत्र 3, 1923

NEW DELHI, SATURDAY, MARCH 24, 2001/CHAITRA 3, 1923

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में
रखा जा सके

Separate Paging is given to this Part in order that it may be filed as a
separate compilation

भाग II—खण्ड 3—उप-खण्ड (II) PART II—Section 3—Sub-Section (II)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सार्वजनिक आदेश और अधिसूचनाएँ
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(other than the Ministry of Defence)

कार्मिक, लोक शिकायत तथा पेंशन मंत्रालय
(कार्मिक और प्रशिक्षण विभाग)

नई दिल्ली, 13 मार्च, 2001

का.आ.583.—केन्द्रीय सरकार, दिल्ली विशेष पुलिस
स्थापना अधिनियम, 1946 (1946 का अधिनियम संख्या
25) की धारा 6 के साथ पठित धारा 5 की उप-
धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए,
त्रिपुरा राज्य सरकार गृह विभाग की दिनांक 1
मार्च, 2001 की अधिसूचना संख्या एफ 21(4)-पी.डी./
2001 द्वारा दी गई सहमति से एतद्वारा भारतीय
दण्ड संहिता, 1860 की धारा 302 और शास्त्र अधि-
नियम, 1959 की धारा 27 के अधीन पुलिस स्टेशन
ईस्ट अग्रतला, वैस्ट त्रिपुरा जिला, त्रिपुरा-राज्य में
दिनांक 20-02-2001 को दर्ज एफ.आई.नं. 39/2001
सामले में दण्डनीय अपराधों के अन्वेषण तथा उक्त
अपराधों के संबंध में अथवा उनसे संस्कृत प्रयत्नों,

वधोपकरणों और पड़ोस और उसी संव्यवहार के क्रम में अथवा
उन्हीं तथ्यों से उद्भूत किन्हीं अन्य अपराधों का अन्व-
ेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के
सदस्यों की शक्तियों और अधिकारिता का विस्तार
सम्पूर्ण त्रिपुरा राज्य के संबंध में करती है।

[संख्या 228/18/2001-ए.वी.डी.-II]

हरि सिंह, अवसर सचिव

MINISTRY OF PERSONNEL, PUBLIC
GRIEVANCES AND PENSION

(Department of Personnel and Training)

New Delhi, the 13th March, 2001

S.O. 583.—In exercise of the powers conferred by
sub-section (1) of section 5 read with section 6 of
the Delhi Special Police Establishment Act, 1946
(Act. No. 25 of 1946), the Central Government with
the consent of the State Government of Tripura, vide
Home Department Notification No. F. 21(4)-PD/2001
dated 1st March, 2001, hereby extends the powers

and jurisdiction of the members of Delhi Special Police Establishment to the whole of the State of Tripura for investigation of offences punishable under section 302 of Indian Penal Code, 1860 and section 27 of the Arms Act, 1959 of case FIR No. 39/2001 dated 20-2-2001 of Police Station East Agartala, West Tripura, District, Tripura State and attempt, abetment and conspiracy in relation to or in connection with the offences and any other offence committed in course of same transaction or arising out of the same facts.

[No. 228/18/2001-AVD.II]
HARI SINGH, Under Secy.

नई दिल्ली, 14 मार्च, 2001

का.आ.584.—केन्द्रीय सरकार, एतद्वारा दण्ड प्रक्रिया संहिता, 1973 (1974 का अधिनियम संख्या 2) की धारा 24 की उपधारा 8 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, श्री सी. एम. शर्मा, एडवोकेट और उप विधि सलाहकार (सेवानिवृत्त) केन्द्रीय अन्वेषण ब्यूरो, दिल्ली को विशेष न्यायिक मजिस्ट्रेट के न्यायालय/केन्द्रीय अन्वेषण ब्यूरो के मामलों के विशेष न्यायाधीश, अंबाला (हरियाणा) और चंडीगढ़ स्थित माननीय पंजाब और हरियाणा उच्च न्यायालय में, मामला संख्या आर.सी. 1 (एस.)/2000-एम.आई.यू. 1/सी.बी.आई./एस.आई.सी. 1/ नई दिल्ली (भूतपूर्व पुलिस महानिदेशक, एस.पी. एस. राठीर, भारतीय पुलिस सेवा के विरुद्ध मामला) और इससे संबंध और अनुपगती किसी अन्य मामले में विचारण के लिए विशेष लोक अभियोजक (कनिष्ठ) नियुक्त करती है।

[संख्या 225/3/2001-ए.वी.डी. II]
हरि सिंह, अवसर सचिव

New Delhi, the 14th March, 2001.

S.O. 584.—In exercise of the powers conferred by sub-section (8) of section 24 of the Code of Criminal Procedure, 1973 (Act No. 2 of 1974), the Central Government hereby appoints Sh. C. S. Sharma, Advocate and Deputy Legal Advisor (Retired) CBI, Delhi as Special Public Prosecutor (Junior) for conducting the trial of the case in the Court of the Special Judicial Magistrate[Spl. Judge for CBI Cases, Ambala (Haryana) and in the Hon'ble Punjab and Haryana High Court at Chandigarh in case RC-1(S)/2000-SIU I[CBI/SIC, I]New Delhi (Case against S. P. S. Rathore, IPS. Ex-DGP) and any other matter connected therewith and incidental thereto.

[No. 225/3/2001-AVD.II]
HARI SINGH, Under Secy.

विश्व मंत्रालय

(राजस्व विभाग)

केन्द्रीय प्रत्यक्ष कर बोर्ड

नई दिल्ली, 30 नवम्बर, 2000

(आयकर)

का. आ. 585.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा "पनजिम जिमखाना गोवा" को 1996-97 से 1998-99 तक के कर-निर्धारण वर्षों के लिए निम्न लिखित शर्तों के अधीन रहते हुए उक्त खंड के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :—

- (i) कर-निर्धारिती उसकी आय का इस्तेमाल अथवा उसकी आय का इस्तेमाल करने के लिए उसका संवयन इस प्रकार के संवयन हेतु उक्त खंड (23) द्वारा यथा संशोधित धारा 11 की उपधारा (2) और (3) के उपबंधों के अनुरूप पूर्णतया तथा अनन्वयतया उन उद्देश्यों के लिए करेगा जिनके लिए इसकी स्थापना की गई है ;
- (ii) कर निर्धारिती उपयुक्त कर निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीकों से उसकी निधि (जेवर-जवाहिरात, फर्नीचर अथवा किसी अन्य वस्तु, जिसे उपयुक्त खंड (23) के तहत परन्तुक के अधीन बोर्ड द्वारा अधिसूचित किया जाए, के रूप में प्राप्त तथा अनुरक्षित स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा ;
- (iii) कर निर्धारिती अपने सदस्यों को किसी भी तरीके से अपनी आय के किसी भाग का संवितरण अपने से सम्बद्ध किसी एसोसिएशन अथवा संस्था को अनुदान के अलावा नहीं करेगा ; और
- (iv) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ हो जब तक कि ऐसा कारोबार उक्त कर निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तिकाएं नहीं रखी जाती हों।

[अधिसूचना सं. 11568/फा. स. 196/16/98—
आयकर नि.-II]
समर भद्र, अवसर सचिव

MINISTRY OF FINANCE

(Department of Revenue)

CENTRAL BOARD OF DIRECT TAXES

New Delhi, the 30th November, 2000

(INCOME TAX)

S.O. 585.—In exercise of the powers conferred by clause (23) of section 10 of the Income Tax Act, 1961 (43 of 1961), the Central Government hereby notifies the "Panjim Gymkhana, Goa" for the purpose of the said clause for assessment years 1996-97 to 1998-99 subject to the following conditions namely:—

- (i) the assessee will apply its income, or accumulate it for application, in consonance with the provisions of sub-section (2) and (3) of Section 11 as modified by the said clause (23) for such accumulation wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture or any other article as may be notified by the Board under the third provision to the aforesaid clause (23) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) the assessee will not distribute any part of its income in any manner to its members except as grants to any association or institution affiliated to it, and
- (iv) this notification will not apply in relation to any income, being profits and gains of business, unless the business is incidental to the attainments of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 11568/F. No. 196/16/98-ITA-I]

SAMAR BHADRA, Under Secy.

नई दिल्ली, 30 नवम्बर, 2000

(आयकर)

का. आ. 586.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23ग) के उप-खंड (vi) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा "साऊथ पाइंट हाई स्कूल, कलकत्ता" को वर्ष 1999-2000 से 2001-2002 तक के लिए कर निर्धारण वर्षों के लिए निम्नलिखित शर्तों के अधीन रहते हुए उक्त उपखंड के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :—

- (i) कर निर्धारिती उसकी आय का इस्तेमाल अथवा उसकी आय का इस्तेमाल करने के लिए उसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के

लिए करेगा जिनके लिए इसकी स्थापना की गई है ;

- (ii) कर निर्धारिती उपर्युक्त कर निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीकों से उसकी निधि (जबर-जबान्दगी, फर्नीचर अथवा किसी अन्य वस्तु आदि के रूप में प्राप्त तथा अनुरक्षित स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा ;
- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ हो जब तक कि ऐसा कारोबार उक्त कर निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अनग से लेखा-पुस्तिकाएं नहीं रखा जाती हों ;
- (iv) कर निर्धारिती आयकर अधिनियम, 1961 के प्रावधानों के अनुसार अपनी आय विवरणी नियमित रूप से आयकर प्राधिकारी के समक्ष फाइल करेगा ;
- (v) विघटन की स्थिति में अतिरिक्त राशियों और परिसम्पत्तियां समान उद्देश्यों वाले धर्मार्थ संगठन को दे दी जाएंगी ।

[अधिसूचना सं. 11569/का. सं. 197/30/2000—

आयकर नि. - I]

सनर भद्र, अवर सचिव

New Delhi, the 30th November, 2000

(INCOME TAX)

S.O. 586.—In exercise of the powers conferred by the sub-clause (vi) of clause (23C) of section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies the "South Point High School, Calcutta" for the purpose of the said sub-clause for the assessment years 1999-2000 to 2001-2002 subject to the following conditions, namely :—

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the

attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

(iv) the assessee will regularly file its return of income before the income-tax authority in accordance with the provisions of the income-tax Act, 1961.

(v) that in the event of dissolution, its surplus and the assets will be given to a charitable organisation with similar objectives.

[Notification No. 11569/F. No. 197/30/2000-ITA-I]
SAMAR BHADRA, Under Secy.

नई दिल्ली, 30 नवम्बर, 2000

(आयकर)

का. आ. 587—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23ग) के उपखंड (vi) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा "सठ सागरमल बगरोडिया चेरीटेबल ट्रस्ट, दिल्ली" को वर्ष 1999-2000 से 2001-2002 तक के कर निर्धारण वर्षों के लिए निम्नलिखित शर्तों के अधीन रहते हुए उक्त उप खंड के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :—

(i) कर निर्धारिती उसकी आय का इस्तेमाल अथवा उसकी आय का इस्तेमाल करने के लिए उसका संचयन पूर्णतया तथा अन्वयतया उन उद्देश्यों के लिए करेगा जिनके लिए इसकी स्थापना की गई है ;

(ii) कर निर्धारिती उपर्युक्त कर निर्धारण वर्षों से सगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढग अथवा तरांका से भिन्न तरांकों से उसकी निधि (जैवर-जवाहिरात, फर्नीचर अथवा किसी अन्य वस्तु आदि के रूप में प्राप्त तथा दायित्व स्वीकृत अशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा ;

(iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जोकि कारोबार से प्राप्त लाभ तथा अभिलाभ हो जब तक कि ऐसा कारोबार उक्त कर निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लब्धा-मुक्तिकारण नहीं रखी जाती हो ;

(iv) कर निर्धारिती आयकर अधिनियम, 1961 के प्रावधानों के अनुसार अपनी आय विवरणी नियमित रूप से आयकर प्राधिकारी के समक्ष फाइल करेगा ;

(u) विघटन की स्थिति में अतिरिक्त राशियों और परिसम्पत्तियां समान उद्देश्यों वाले धर्मार्थ संगठन को दे दी जाएगी ।

[अधिसूचना नं. 11570/फा. नं. 197/109/2000—
आ. क. नि. 1]

समर भद्र, अवर सचिव

New Delhi, the 30th November, 2000

(INCOME-TAX)

S.O. 587.—In exercise of the powers conferred by the sub-clause (vi) of clause (23C) of section 10 of the Income-tax 1961 (43 of 1961), the Central Government hereby notifies the "Seth Sagarmal Bagrodia Charitable Trust, Delhi" for the purpose of the said sub-clause for the assessment years 1999-2000 to 2001-2002, subject to the following conditions, namely :—

(i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which its established;

(ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;

(iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

(iv) the assessee will regularly file its return of income before the income-tax authority in accordance with the provisions of the income-tax Act, 1961.

(v) that in the event of dissolution, its surplus and the assets will be given to a charitable organisation with similar objectives.

[Notification 11570/F. No. 197/109/2000-ITA-I]
SAMAR BHADRA, Under Secy.

नई दिल्ली, 28 फरवरी, 2001

(आयकर)

का.आ. 588.— आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा "सार्चरी एसोमिणेशन ऑफ इंडिया, नई दिल्ली" को 2001-2002 से 2003-2004 तक के कर-निर्धारण वर्षों के लिए निम्नलिखित शर्तों के अधीन रहते हुए उक्त खंड के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :—

(i) कर-निर्धारिती उसकी आय का इस्तेमाल अथवा उसकी आय का इस्तेमाल करने के लिए उसका संचयन इस प्रकार के संचयन हेतु उक्त खंड

(23) द्वारा यथा संशोधित धारा 11 की उप-धारा (2) और (3) के उपबंधों के अनुरूप पूर्णतया तथा अन्नतया उन उद्देश्यों के लिए करेगा जिनके लिए इसकी स्थापना की गई है,

(ii) कर निर्धारिती उपर्युक्त कर निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीकों से उसकी निधि (जेवर-जवाहिरात, फर्नीचर अथवा किसी अन्य वस्तु, जिसे उपर्युक्त खंड (23) के तीसरे परन्तुक के अधीन बोर्ड द्वारा अधिसूचित किया जाए, के रूप में प्राप्त तथा अनुरक्षित स्वैच्छिक अंशदान से भिन्न का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा,

(iii) कर निर्धारिती इसके सदस्यों की किसी भी तरीके से इसकी आय के किसी भाग का संवितरण इससे सम्बद्ध किसी एसोसिएशन अथवा संस्था को अनुदान के अलावा नहीं करेगा; और

(iv) यह अधिसूचित किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ हो जब तक कि ऐसा कारोबार उक्त कर निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तिकाएं नहीं रखी जाती हों।

[अधिसूचना सं. 46/2001/फा.सं. 196/3/2001—आयकर नि. I]

समर भद्र, अवर सचिव

New Delhi, the 28th February, 2001

(Income Tax)

S.O. 588.—In exercise of the powers conferred by clause (23) of section 10 of the Income Tax Act, 1961 (43 of 1961), the Central Government hereby notifies the "Archery Association of India, New Delhi" for the purpose of the said clause for assessment years 2001-2002 to 2003-2004 subject to the following conditions, namely :—

- (i) the assessee will apply its income, or accumulate it for application, in consonance with the provisions of sub-section (2) and (3) of Section 11 as modified by the said clause (23) for such accumulation wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture or any other article as may be notified by the Board under the third provision to the aforesaid clause (23) for any period during the previous years relevant to the assessment years mentioned

above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;

(iii) the assessee will not distribute any part of of its income in any manner to its members except as grants to any association or institution affiliated to it; and

(iv) this notification will not apply in relation to any income, being profits and gains of business, unless the business is incidental to the attainments of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 46/2001/F. No. 196/3/2001-ITA-I]

SAMAR BHADRA, Under Secy.

आदेश

नई दिल्ली, 2 मार्च, 2001

स्टाम्प

का.आ. 589:—भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उपधारा (1) के खंड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा भारतीय स्टेट बैंक, मुम्बई को मात्र पच्चीस करोड़ रुपए का समेकित स्टाम्प शुल्क अदा करने की अनुमति देती है, जो उक्त बैंक द्वारा दिनांक 01-01-2001 को अर्बांठित किए गए मात्र दो हजार पांच सौ करोड़ रुपए के समग्र मूल्य के प्रोमिजरी नोटों के स्वरूप में 108249 से 125000 तक की विशिष्ट संख्या वाले 11.90 प्रतिशत एस बी आई टी आई ई आर-II पूंजीगत बंध पत्रों (2000-2001) तथा 100001 से 108248 तक की विशिष्ट संख्या वाले 11.55 प्रतिशत एस बी आई टी आई ई आर-II पूंजीगत बंध पत्रों (2000-2001) के रूप में वर्णित बंध पत्रों पर स्टाम्प शुल्क के कारण प्रभाय है।

[सं. 14/2001-स्टाम्प फा. सं. 33/5/2001-बि.क.]

आर. जी. छाबड़ा, अवर सचिव

ORDER

New Delhi, the 2nd March, 2001

STAMPS

S.O. 589.—In exercise of the powers conferred by clause (b) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby permits State Bank of India, Mumbai to pay consolidated stamp duty of rupees twenty five crore only chargeable on account of the stamp duty on bonds described as 11.55%-SBI TIER-II CAPITAL BONDS (2000-2001) bearing distinctive numbers from 100001 to 108248 and 11.90% SBI TIER-II CAPITAL BONDS (2000-2001) bearing distinctive numbers from 108249 to 125000 in the nature of promissory notes aggregating to rupees two thousand five hundred crore only allotted on 01-01-2001 by the said Bank.

[No. 14/2001-STAMPS/F. No. 33/5/2001-ST]

R. G. CHHABRA, Under Secy.

वाणिज्य मंत्रालय

(विदेश व्यापार महानिदेशालय)

प्रादेश

नई दिल्ली, 2 मार्च, 2001

का.आ. 590.—मैसर्स ठाकाडोर स्पनिंग मिल्स (प्रा.) लि., धर्मपुरी-636701 को ई पी सी जी स्कीम के तहत पूंजीगत माल के आयात के लिए 55,21,250/- रु. के लिए लाइसेंस सं. पी/सी जी/2134280 दिनांक 24-05-1995 मंजूर किया गया था।

2. फर्म ने ऊपर उल्लिखित लाइसेंस की सीमा प्रयोजन/विनिमय नियंत्रण प्रयोजन प्रति की डुप्लीकेट प्रति जारी करने के लिए इस आधार पर आवेदन किया है कि लाइसेंस की मूल सीमाशुल्क प्रयोजन प्रति और विनिमय नियंत्रण प्रयोजन प्रति खो गई है अथवा अस्थानस्थ हो गई है। आगे यह भी बताया गया है कि लाइसेंस की सीमा शुल्क प्रयोजन/विनिमय नियंत्रण प्रयोजन प्रति की सीमा शुल्क सदन, चेन्नई के साथ पंजीकृत कराया गया था और 55,21,250/- रु. की राशि के लिए प्रयोग किया गया था और शेष अप्रयुक्त राशि शून्य थी।

3. अपने मत के समर्थन में, लाइसेंसधारी ने नोटरी पब्लिक, मायलापुर, चैन्नई-600 004 के समक्ष विधिवत् शपथ लेकर स्टाम्प पेपर पर हलफनामा प्रस्तुत किया है। में तदनुसार संतुष्ट हूँ कि आयात लाइसेंस सं. पी/सी जी/2134280 दिनांक 24-05-1995 की सीमाशुल्क प्रयोजन प्रति/विनिमय नियंत्रण प्रयोजन प्रति/विनिमय नियंत्रण प्रयोजन प्रति फर्म द्वारा खो गई है अथवा अस्थानस्थ हो गई है। महानिदेशक, विदेश व्यापार द्वारा जारी कां.आ. सं. 1060 (अ) दिनांक 31-12-93 के तहत प्रवृत्त शक्तियों का प्रयोग करते हुए मैसर्स ठाकाडोर स्पनिंग मिल्स (प्रा.) लि. को जारी मूल सीमाशुल्क प्रयोजन प्रति/विनिमय नियंत्रण प्रयोजन प्रति सं. पी/सी जी/2134280 दिनांक 24-05-1995 को एतद्वारा निरस्त किया जाता है।

4. उपरोक्त लाइसेंस की डुप्लीकेट सीमा शुल्क प्रयोजन/विनिमय नियंत्रण प्रयोजन प्रति प्राप्ति को अलग से जारी की जा रही है।

[फाइल सं. 18/55/ए एम 96/ई पी सी जी 2/951]

सी. वी. एल. एन. प्रसाद, उप महानिदेशक, विदेश व्यापार

MINISTRY OF COMMERCE

(Directorate General of Foreign Trade)

ORDER

New Delhi, the 2nd March, 2001

S.O. 590.—M/s. Thakadoor Spinning Mills (P) Ltd. Dharmapuri-636701, were granted an Import Licence No. P/CG/2134280 dated 24-05-1995 for Rs. 55,21,250 for import of capital goods under EPCG Scheme.

2. The firm has applied for issue of duplicate copy of Customs Purpose/Exchange Control Purpose of the above mentioned licence on the ground that the Original Customs purpose copy and Exchange Control Purpose copy of the licence has been lost or misplaced. It has further been stated that both the Customs Purpose/Exchange Control Purpose copy of the licence was registered with Customs House, Chennai and been utilised for a sum of Rs. 55,21,250 leaving an unutilised balance of Rs. Nil.

3. In support of their contention, the licensee has filed an Affidavit on stamped paper duly sworn in before Notary Public, Mylapore, Chennai-600004. I am accordingly satisfied that the Customs Purpose/Exchange Control Purpose copy of Import Licence No. P/CG/2134280 dated 24-05-1995 has been lost or misplaced by the firm. In exercise of the powers conferred under Order S.O. 1060(E) dated 31-12-93 issued by DGFT, New Delhi the said Original Customs Purpose/Exchange Control Purpose copy No. P/CG/2134280 dated 24th May, 1995 issued to M/s. Thakadoor Spinning Mills (P) Ltd. is hereby cancelled.

1. The duplicate Customs Purpose/Exchange Control purpose copy of the said licence is being issued to the party separately.

[F. No. 18/55/AM 96/EPCG II/951]

C. V. L. N. PRASAD, Dy. Director General of Foreign Trade

मानव संसाधन विकास मंत्रालय

(माध्यमिक शिक्षा और उच्चतर शिक्षा विभाग)

नई दिल्ली, 7 मार्च, 2001

का.आ. 591.—केन्द्रीय सरकार, राजभाषा (संघ के सरकारी प्रयोजनों के लिए प्रयोग) (नियम 1976 के नियम 10 के उप-नियम (4) के अनुसरण में मानव संसाधन विकास मंत्रालय माध्यमिक शिक्षा एवं उच्चतर शिक्षा विभाग के अन्तर्गत निम्नलिखित 7 केन्द्रीय विद्यालयों को जिनमें 80% से अधिक कर्मचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिस्चित करती है :

1. केन्द्रीय विद्यालय,
वायु सेना संस्थान,
बक्शी का तालाब,
लखनऊ-227202.
2. केन्द्रीय विद्यालय,
बस्ती,
उत्तर प्रदेश-272001.
3. केन्द्रीय विद्यालय,
साबुआ (म. प्रदेश)
4. केन्द्रीय विद्यालय नं. 1,
सागर (मध्य प्रदेश)
5. केन्द्रीय विद्यालय,
मेहसाना,
गुजरात-384002.
6. केन्द्रीय विद्यालय संगठन क्षेत्रीय
कार्यालय, अहमदाबाद, सैक्टर-30,
गांधीनगर (गुजरात)

7. केन्द्रीय विद्यालय,
एण्ड्रयूज गंज,
नई दिल्ली-24.

[सं. 11011-9/2001-रा.भा.ए.]
डी.पी. बन्दूनी, निदेशक (रा.भा.)

MINISTRY OF HUMAN RESOURCE DEVELOPMENT

(Department of Sec. and Higher Education)

New Delhi, the 7th March, 2001

S.O. 591.—In pursuance of sub rule (4) of Rule 10 of the Official Languages (Use for Official Purpose of the Union) Rules, 1976, the Central Govt. hereby notifies of the following Kendriya Vidyalayas under the Ministry of Human Resource Development (Deptt. of Sec. and Higher Education) more than 80% staff of which has working knowledge of Hindi:—

1. Kendriya Vidyalaya
Air Force Institute,

- Baxi Ka Talab,
Lucknow-227202.
2. Kendriya Vidyalaya
Basti, (U.P.)-272001.
3. Kendriya Vidyalaya,
Jhabua (M.P.).
4. Kendriya Vidyalaya No. 1
Sagar (M.P.).
5. Kendriya Vidyalaya
Mehsana,
Gujarat-384002.
6. Kendriya Vidyalaya Sangthan
Regional Office, Ahmedabad,
Sec. 30, Gandhinagar,
Gujarat.
7. Kendriya Vidyalaya
Andrews Ganj,
New Delhi-24.

[No. 11011-9/2001-O.L.U]

D. P. BANDOONI, Director (O.L.)

स्वास्थ्य और परिवार कल्याण मंत्रालय

(स्वास्थ्य विभाग)

नई दिल्ली, 8 मार्च, 2001

का.भा.592.—दन्त चिकित्सक अधिनियम, 1948 (1948 का 16) की धारा 10 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार भारतीय दन्त चिकित्सा परिषद् से परामर्श करने के बाद एतद्वारा उक्त अधिनियम की अनुसूची के भाग-I में निम्नलिखित और संशोधन करती है; अर्थात् :—

2. उक्त अनुसूची के भाग-I में क्रम संख्या 50 और उससे संबंधित प्रविष्टियों के सामने निम्नलिखित प्रविष्टियां जोड़ी जाएंगी :

50 हिमाचल प्रदेश विश्व- विद्यालय, शिमला	(i) दन्त शल्य चिकित्सा स्नातक यह अर्हता हिमाचल प्रदेश गवर्नमेंट डेंटल कालेज एवं अस्पताल, शिमला के बीडीएम छात्रों के संबंध में तभी एक मान्यता प्राप्त दन्त चिकित्सा अर्हता होगी यदि यह 28 और 29 फरवरी, 2000 को अथवा उसके बाद प्रदान की गई हो।	बी.डी.एस. हिमाचल प्रदेश
--	---	----------------------------

[सं. बी. 12017/12/94-पीएमएस]

एम. के राव, निदेशक

MINISTRY OF HEALTH & FAMILY WELFARE

(Department of Health)

New Delhi, the 8th March, 2001

S.O. 592.—In exercise of the powers conferred by Sub-Section (2) of Section 10 of the Dentists Act, 1948 (16 of 1948), the Central Government, after consulting the Dental Council of India, hereby makes the following further amendment in Part-I of the Schedule to the Said Act, namely:

2. In Part-I of the said Schedule against serial number 50 and the entries relating thereto, the following entries shall be added, namely:

50. Himachal Pradesh University, Shimla	(i) Bachelor of Dental Surgery. This qualification shall be a recognized Dental qualification in respect of BDS students of Himachal Pradesh Government Dental College and Hospital, Shimla when granted on or after 28th and 29th February, 2000.	B.D.S. Himachal Pradesh
--	---	-------------------------

[No. V.12017/12/94-PMS]

S.K. RAO, Director

नई दिल्ली, 8 मार्च, 2001

New Delhi, the 8th March, 2001

का.आ.593:—भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा 3 की उपधारा (i) के खंड (क) के अनुसरण में तथा हिमाचल प्रदेश सरकार से परामर्श करके, केन्द्र सरकार ने डा. मोहिन्द्र नाथ, निदेशक (आयुर्विज्ञान शिक्षा), हिमाचल प्रदेश सरकार, शिमला को इस अधिसूचना के जारी होने की तिथि से 11 मार्च, 2004 तक लिए भारतीय आयुर्विज्ञान परिषद् का सदस्य नामित किया है;

अतः अब उक्त अधिनियम की धारा 3 की उपधारा (i) के उपबंध के अनुसरण में केन्द्र सरकार तत्कालीन स्वास्थ्य मंत्रालय, भारत सरकार की दिनांक 9 जनवरी, 1960 की अधिसूचना का.आ. 138 में एतद्वारा निम्नलिखित और संशोधन करती, अर्थात् —

उक्त अधिसूचना में “धारा 3 की उपधारा (1) के खंड (क) के अन्तर्गत नामित” शीर्षक के अन्तर्गत क्रम संख्या 21 तथा उसमें संबंधित प्रविष्टियों के स्थान पर निम्नलिखित क्रम संख्या तथा प्रविष्टियां प्रतिस्थापित की जाएंगी, अर्थात् —

21. डा. मोहिन्द्र नाथ,
चिनार हाऊस, स्ट्राबेरी हिल्स,
शिमला—171002

21. Dr. Mohinder Nath,
Chinar House, Strawberry Hills,
Shimla-171002.

[संख्या बी-11013/1/2001-एम ई (नीति-1)]

पी. जी. कालाधरण, अधीन सचिव

[No. V-11013/1/2001-ME(Policy-I)]

P. G. KALADHARAN, Under Secy.

कोयला मंत्रालय

नई दिल्ली, 7 मार्च, 2001

का.आ. 594 :—केन्द्रीय सरकार को यह प्रतीत होता है कि इससे उपाबद्ध अनुसूची में उल्लिखित भूमि में कोयला अभिप्राप्त किए जाने की संभावना है।

अतः, अब, केन्द्रीय सरकार कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसमें इसके पश्चात् उक्त अधिनियम, कहा गया है) की धारा 4 की उपधारा (1) द्वारा प्रयुक्त शक्तियों का प्रयोग करते हुए, उस क्षेत्र में कोयले का पूर्वेक्षण करने के लिए अपने आशय की सूचना देती है,

इस अधिसूचना के अन्तर्गत आने वाले क्षेत्र के रेखांक सं. सी.-1 (ई)/III/एच. आर. 667-0200 तारीख 1 फरवरी, 2000 का निरीक्षण वेस्टर्न कोलफील्ड्स लिमिटेड (राजस्व विभाग), कोल ईस्टेट, सिविल लाईन्स, नागपुर-440 001 (महाराष्ट्र) के कार्यालय में या कलेक्टर, छिन्दवाड़ा (मध्य प्रदेश) के कार्यालय में या कोयला नियंत्रक, 1, काउंसिल हाऊस स्ट्रीट, कलकत्ता के कार्यालय में किया जा सकता है।

इस अधिसूचना के अन्तर्गत आने वाली भूमि में, हितबद्ध सभी व्यक्ति उक्त अधिनियम की धारा 13 की उपधारा (7) में निर्दिष्ट सभी नक्शों, चाटों और अन्य दस्तावेजों को, इस अधिसूचना की प्रकाशन की तारीख से नव्वे दिनों के भीतर, भार साधक अधिकारी/विभागाध्यक्ष (राजस्व), वेस्टर्न कोलफील्ड्स लिमिटेड, कोल ईस्टेट, सिविल लाईन्स, नागपुर-440 001 (महाराष्ट्र) को परिदत्त करेंगे।

अनुसूची
टांडसी III खंड

कन्हान क्षेत्र

जिला छिन्दवाड़ा (मध्य प्रदेश)

(रेखांक सं० सी.-1(ई)/III/एच आर/667-0200 तारीख 1 फरवरी, 2000)

क्रम संख्या	ग्राम का नाम	वन का नाम	पटवारी सर्कल संख्या	कक्ष संख्या	तहसील	जिला	क्षेत्र हेक्टेयर में	टिप्पणी
1.	डोडारामाउ	—	2	—	जुन्नारदेव	छिन्दवाड़ा	33.350	पूर्ण
2.	बाकोडी	—	3	—	जुन्नारदेव	छिन्दवाड़ा	139.325	भाग
3.	दानवा	—	3	—	जुन्नारदेव	छिन्दवाड़ा	8.200	भाग
4.	—	संरक्षित वन	—	पी-411	जुन्नारदेव	छिन्दवाड़ा	32.070	भाग
		दमुआ रेंज		पी-412	जुन्नारदेव	छिन्दवाड़ा	271.056	भाग
		रामपुर खंड		पी-413	जुन्नारदेव	छिन्दवाड़ा	10.000	भाग
				पी-424	जुन्नारदेव	छिन्दवाड़ा	173.930	भाग
				पी-425	जुन्नारदेव	छिन्दवाड़ा	245.250	भाग
कुल क्षेत्र							913.181	हेक्टेयर (लगभग)
या							2256.47	एकड़ (लगभग)

सीमा वर्णन :

- क—ख : रेखा बिन्दु 'क' से आरम्भ होती है और संरक्षित वन की कक्ष संख्या पी-411 से होकर जाती है और बिन्दु 'ख' पर मिलती है।
- ख—ग—घ : रेखा संरक्षित वन की कक्ष संख्या पी-411, पी-412, पी-424 से होकर जाती है, फिर संरक्षित वन की कक्ष संख्या पी-413 से होकर जाती है और बिन्दु 'घ' पर मिलती है।
- घ—ङ : रेखा संरक्षित वन की कक्ष संख्या पी-413, पी-424 से होकर जाती है और ग्राम दानवा से होकर आगे बढ़ती है और बिन्दु 'ङ' पर मिलती है।
- ङ—च : रेखा संरक्षित वन की कक्ष संख्या पी-425 और ग्राम दानवा की सम्मिलित सीमा के साथ-साथ जाती है फिर संरक्षित वन की कक्ष संख्या पी-425 से होकर जाती है और संरक्षित वन की कक्ष संख्या पी-425 और ग्राम बाकोडी की सम्मिलित सीमा के साथ-साथ जाती है और बिन्दु 'च' पर मिलती है।
- च—क : रेखा बरधर की नदी के पूर्वी किनारे और संरक्षित वन की कक्ष संख्या पी-425, ग्राम बाकोडी, संरक्षित वन की कक्ष संख्या पी-412, ग्राम डोडारामाउ, संरक्षित वन की कक्ष संख्या पी-411 की पश्चिमी सीमा के साथ-साथ जाती है और आरंभिक बिन्दु 'क' पर मिलती है।

[संख्या 43015/1/2001-पी.आर.आई. डब्ल्यू.]

संजय बहादुर, उप सचिव

MINISTRY OF COAL

New Delhi, the 7th March, 2001

S. O. 594.—Whereas it appears to the Central Government that coal is likely to be obtained from the lands mentioned in the schedule hereto annexed ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act), the Central Government hereby gives notice of its intention to prospect for coal therein ;

The plan bearing No. C-1(E)/III/HR/667-0200 dated the 1st February, 2000 of the area covered by this notification can be inspected in the office of the Western Coalfields Limited (Revenue Department), Coal Estate Civil Lines, Nagpur—40001 (Maharashtra) or in the office of the Collector, Chhindwara (Madhya Pradesh) or in the office of the Coal Controller, 1, Council House Street, Calcutta.

All persons interested in the lands covered by this notification shall deliver all maps, charts and other documents referred to in sub-section (7) of section 13 of the said Act to the Officer-in-Charge/Head of the Department (Revenue), Western Coalfields Limited, Coal Estate, Civil Lines, Nagpur-440 001 (Maharashtra) within ninety days from the date of publication of this notification.

SCHEDULE

TANDSI III BLOCK

Kanhau Area

DISTRICT CHHINDWARA (MADHYA PRADESH)

(Plan No C-1 (E)/III/HR/667-0200 dated the 1st February, 2000)

Serial Number	Name of village	Name of forest	Patwari Circle Number	Compartment Number	Tahsil	District	Area in hectares	Remarks
1	Dodramau	—	2	—	Junnardeo	Chhindwara	33.350	Full
2	Bakodi	—	3	—	Junnardeo	Chhindwara	139.325	Part
3	Danwa	—	3	—	Junnardeo	Chhindwara	8.200	Part
4	—	Protected Forest	—	P-411	Junnardeo	Chhindwara	32.070	Part
				P-412	Junnardeo	Chhindwara	271.056	Part
		Damua		P-413	Junnardeo	Chhindwara	10.000	Part
		Range		P-424	Junnardeo	Chhindwara	173.930	Part
		Rampur		P-425	Junnardeo	Chhindwara	245.250	Part
		Block						

Total area : 913.181 hectares
(approximately)

or
22 56.47 acres
(approximately)

BOUNDRY DESCRIPTION—

- A—B : Line starts from point 'A' and passes through protected forest compartment number P-411 and meets at point 'B'.
- B—C—D : Line passes through protected forest compartment numbers P-411, P-412, P-424, then proceeds through protected forest compartment number P-413 and meets at point 'D'.
- D—E : Line passes through protected forest compartment numbers P-413, P-424 and proceeds through village Danwa and meets at point 'E'.
- E—F : Line passes along the common boundary of protected forest compartment number P-425 and village Danwa, then passes through protected forest compartment number P-425 and passes along the common boundary of protected forest compartment number P-425 and village Bakodi and at point 'F'.
- F—A : Line passes along the eastern bank of Baradhar River and western boundary protected forest compartment number P-425, Bakodi village, protected forest compartment number P-412, village Dodramau, protected forest compartment number P-411 and meets at starting point 'A'.

नई दिल्ली, 8 मार्च, 2001

का.भा.595.—केन्द्रीय सरकार को यह प्रतीत होता है कि इससे उपाबद्ध अनुसूची में उल्लिखित भूमि में कोयला अभिप्राप्त किए जाने की संभावना है ;

अतः अब, केन्द्रीय सरकार कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की (जिसे इसमें इसके पश्चात् उक्त अधिनियम, कहा गया है) धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उस क्षेत्र में कोयले का पूर्वेक्षण करने के अपने आशय की सूचना देती है :

इस अधिसूचना के अन्तर्गत आने वाली योजना संख्यांक एस ईसीएल/वी एस पी/जीएम(पीएलजी)/भूमि/240 तारीख 25 मई, 2000 का निरीक्षण कलेक्टर, कोरबा (मध्य प्रदेश) के कार्यालय में या कोयला नियंत्रक 1, कार्जसिन्ध, हाऊस स्ट्रीट कलकत्ता-700 001 के कार्यालय में या साउथ ईस्टर्न कोलफील्ड्स लि. (राजस्व अनुभाग) सीपत रोड, विलासपुर-495006 (मध्य प्रदेश) के कार्यालय में किया जा सकता है ;

इस अधिसूचना के अन्तर्गत आने वाली भूमि में, हितबद्ध सभी व्यक्ति उक्त अधिनियम की धारा 13 की उपधारा (7) में विनिर्दिष्ट सभी नक्शों, चार्टों और अन्य दस्तावेजों को इस अधिसूचना के प्रकाशन की तारीख से नब्बे दिन के भीतर, भारसाधक अधिकारी/विभागाध्यक्ष (राजस्व), साउथ ईस्टर्न कोलफील्ड्स लि. सीपत रोड, विलासपुर-495 006 (मध्य प्रदेश) को भेजेगे ।

अनुसूची

पोंडी ब्लॉक

कोरबा कोलफील्ड्स

गेवरा क्षेत्र

जिला कोरबा (मध्य प्रदेश)

(योजना सं. एसईसीएल/वीएसपी/जीएम (पी एल जी)/भूमि/240 तारीख 25 मई 2000)

(पूर्वेक्षण के लिए भूमि दर्शाते हुए)

क्र. सं.	ग्राम	पटवारी हल्का संख्या	खेबट संख्या	तहसील	जिला	(क्षेत्र हेक्टर में) टिप्पणी
1.	पोंडी	38	35	कटघोरा	कोरबा	186.559 भाग
2.	रलिया	38	34	कटघोरा	कोरबा	385.000 भाग
3.	मुडियानार	37	32	कटघोरा	कोरबा	97.912 पूरा
4.	छिबपुर	35	33	कटघोरा	कोरबा	40.000 भाग
5.	बाहनपाट	38	30	कटघोरा	कोरबा	108.551 पूरा
6.	भठोरा	38	29	कटघोरा	कोरबा	121.866 भाग
7.	भेलईबाजार	37	31	कटघोरा	कोरबा	200.000 भाग
8.	अमगांव	29	36	कटघोरा	कोरबा	109.843 भाग
कुल :						1249.731 हेक्टर (लगभग)
						या
						3088.09 एकड़ (लगभग)

सीमा वर्णन :

- क—ख रेखा ग्राम रलिया और सरईसिगार ग्रामों की सम्मिलित सीमा पर “क” बिन्दु से आरम्भ होती है और रलिया ग्राम की पश्चिमी सीमा के साथ-साथ जाती है उसके पश्चात् अमगांव ग्राम से होकर जाती है तथा “ख” बिन्दु पर मिलती है।
- ख—ग रेखा भागतः अमगांव की उत्तरी सीमा के साथ-साथ चलती है, उसके पश्चात् पोंडी ग्राम से होकर बाहनपाट भठोरा ग्रामों की उत्तरी सीमा के साथ-साथ जाती है तथा भठोरा ग्राम से होकर “ग” बिन्दु पर मिलती है।
- ग—घ रेखा भागतः ग्राम भठोरा की पूर्वी सीमा के साथ-साथ जाती है, उसके पश्चात् भेलई बाजार से होकर जाती है और बिन्दु “घ” पर मिलती है।
- घ—क रेखा भेलईबाजार छिबपुर, रलिया ग्रामों से होकर जाती है और आरंभिक बिन्दु “क” पर मिलती है।

[सं. 43015/18/2000-पी आर आई डब्ल्यू]

संजय बहादुर, उप सचिव

New Delhi the 8th March, 2001

S. O. 595 .—Whereas it appears to the Central Government that coal is likely to be obtained from the lands mentioned in the Schedule hereto annexed ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act), the Central Government hereby gives notice of its intention to prospect for coal therein.

The plan bearing Number SECL/BSP/GM (PLG)/LAND/240 dated the 25th May, 2000, of the area covered by this notification can be inspected in the Office of the Collector, Korba (Madhya Pradesh) or in the Office of the Coal Controller, 1, Council House, Street, Kolkata-700 001 or in the Office of the South Eastern Coalfields Limited (Revenue Section), Seepat Road, Bilaspur - 495006 (Madhya Pradesh).

All persons interested in the land covered by this notification shall deliver all maps, charts and other documents referred to in sub-section (7) of section 13 of the said Act to the Officer-in-Charge/Head of the Department (Revenue), South Eastern Coalfields Limited, Seepat Road, Bilaspur-495 006 (Madhya Pradesh) within ninety days from the date of publication of this notification in the Official Gazette.

SCHEDULE
PONDI BLOCK
KORBA COALFIELDS
GEVRA AREA

DISTRICT-KORBA (MADHYA PRADESH)

Plan No. : SECL/BSP/GM (Plg)/Land/240 Dated 25th May, 2000 (showing the land for prospecting)

Serial Number	Village	Patwari halka number	Khewat number	Tahsil	District	Area in hectares	Remarks
1	Pondi	38	35	Katghora	Korba	186.559	Part
2	Ralia	38	34	Katghora	Korba	385.000	Part
3	Murianar	37	32	Katghora	Korba	97.912	Full
4	Chhindpur	35	33	Katghora	Korba	40.000	Part
5	Bahanpat	38	30	Katghora	Korba	108.551	Full
6	Bhathora	38	29	Katghora	Korba	121.866	Part
7	Bhelai-bazar	37	31	Katghora	Korba	200.000	Part
8	Amgaon	29	36	Katghora	Korba	109.843	Part

TOTAL : 1249.731 Hectares (Approximately)
OR 3088.09 Acres (Approximately)

BOUNDARY DESCRIPTION :

- A-B : Line starts from point 'A' on the common boundary of villages Ralia-Saraisingar and passes along the Western boundary of Ralia village, then through Amgaon Village and meets at point 'B'.
- B—C : Line passes partly along the Northern boundary of Amgaon village, then through Pondi village, proceeds along the Northern boundary of Bahanpat, Bhathora village then through Bhathora village and meets at point 'C'.
- C—D : Line passes partly along the Eastern boundary of Bhathora village, then through village Bhelaibazar and meets at point 'D'.
- D—A : Line passes through villages Bhelaibazar, Chhindpur, Ralia and meets at the starting point at 'A'.

[No. 43015/18/2000-PRIW]
SANJAY BAHADUR, Dy. Secy.

नई दिल्ली, 8 मार्च, 2001

का. प्रा. 596:—केन्द्रीय सरकार को यह प्रतीत होता है कि इससे उपाय अनुसूची में उल्लिखित परिक्षेत्र में भूमि से कोयला अभिप्राप्त होने की संभावना है ;

अतः, अब, केन्द्रीय सरकार, कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिससे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त परिक्षेत्र में कोयले का पूर्वेक्षण करने के अपने आशय की सूचना देती है ;

इस अधिसूचना के अन्तर्गत आने वाले क्षेत्र के रेखांक का जिसकी सं. एमसीएल/एसएएमबी/सीजीएम (सीपी और पी)/बैतरणी/00/22 तारीख 28 अप्रैल, 2000 है, निरीक्षण, मुख्य महाप्रबंधक (कोल प्रोजेक्ट एण्ड प्लानिंग), महानदी कोलफील्ड्स (लि.) जगुति बिहार, बुरला, संबलपुर-768 018 (उड़ीसा) के कार्यालय या कोयला नियंत्रक, 1, काउंसिल हाऊस स्ट्रीट, कलकत्ता के कार्यालय में किया जा सकता है।

इस अधिसूचना के अन्तर्गत भूमि में, हितबद्ध सभी व्यक्ति, उक्त अधिनियम की धारा 13 की उपधारा (7) में निर्दिष्ट किए गए सभी नक्शों, चार्टों और अन्य दस्तावेज को राजपत्र में इस अधिसूचना के प्रकाशन की तारीख से नब्बे दिन के भीतर भारसाधक अधिकारी/विभागाध्यक्ष (राजस्व/सम्पदा), महानदी कोलफील्ड्स लि., जगुति बिहार, बुरला, संबलपुर-768 018 (उड़ीसा) को भेजेगे।

अनुसूची

बैतरणी ज़िला

तलचर कोलफील्ड्स

जिला - अंगुल (उड़ीसा)

सर्वाधिकार

रेखांक सं. : एमसीएल/एसएएमबी/सीजीएम (कोल प्रोजेक्ट एण्ड प्लानिंग)/बैतरणी/00 22 तारीख 28 अप्रैल, 2000)

क्र. प्रा. सं.	पुलिस थाना और सं.	तहसील/उप खंड	जिला/राज्य	क्षेत्र (एकड़ में)	टिप्पणियां
1. पोखपादा	छेदीपाडा/42	अंगुल	अंगुल/उड़ीसा	511.00	भाग
2. छेदीपाडा जंगल	छेदीपाडा/75	अंगुल	अंगुल/उड़ीसा	2206.36	भाग
3. छेदीपाडा पी. एफ.	छेदीपाडा/	अंगुल	अंगुल/उड़ीसा	3993.60	भाग
4. छेदीपाडा	छेदीपाडा/73	अंगुल	अंगुल/उड़ीसा	470.21	भाग
5. मच्छकुटा जंगल	छेदीपाडा/77	अंगुल	अंगुल/उड़ीसा	256.00	पूर्ण
6. तेंतुलाई गोपीनाथपुर	छेदीपाडा/94	अंगुल	अंगुल/उड़ीसा	516.02	पूर्ण
7. टेंतुलाई	छेदीपाडा/93	अंगुल	अंगुल/उड़ीसा	438.45	पूर्ण
8. पादमाडा जंगल	छेदीपाडा/41	अंगुल	अंगुल/उड़ीसा	350.84	पूर्ण
9. मच्छकुटा	छेदीपाडा/40	अंगुल	अंगुल/उड़ीसा	552.48	पूर्ण
कुल :				9292.48 (लगभग)	
				3760.615 हेक्टर (लगभग)	

सीमा वर्णन

क—ख

रेखा "नाला" छेदीपाडा पी.एफ. के पास से आरंभ होता है यहां से यह छेदीपाडा पी. एफ. से होती हुई दक्षिण की ओर जाती है और "नाला" की पश्चिमी सीमा और तेंतुलाई गोपीनाथपुर गांव की पूर्वी सीमा के साथ-साथ बिन्दु "ख" तक जाती है। जो कि तेंतुलाई गोपीनाथपुर, कुज बिहारीपुर और कुरुपेटा जंगल गांवों की विसंधि बिन्दु है।

ख—ग—घ—ङ

रेखा बिन्दु “ख” से तेंतुलाई गोपीनाथपुर और तेंतुलाई गांवों की दक्षिणी सीमा के साथ-साथ पश्चिम की ओर बिन्दु “ग” तक जाती है। यहां से रेखा तेंतुलाई गांव की पश्चिमी सीमा के साथ-साथ उत्तर की ओर बिन्दु “घ” तक जाती है और यहां से यह छेदीपाडा जंगल की दक्षिणी सीमा के साथ-साथ बिन्दु “ङ” तक जाती है जो कि छेदीपाडा जंगल, तेंतुलाई कोदाशाही और हडी गोडा गांवों का त्रिसंधि बिन्दु है।

ड—च—छ—ज

रेखा बिन्दु “ड” से छेदीपाडा जंगल की पश्चिमी सीमा के साथ-साथ उत्तर की ओर बिन्दु “च” तक जाती है। यहां से रेखा मच्छकुटा जंगल से होकर पश्चिम की ओर जाती है और इस जंगल की पश्चिमी सीमा को बिन्दु “छ” पर स्पर्श करती है। यहां से रेखा मच्छकुटा जंगल और मच्छकुटा गांव की पश्चिमी सीमा के साथ-साथ उत्तर की ओर बिन्दु “ज” तक जाती है।

ज—क

रेखा बिन्दु “छ” से पोडापाडा गांव, छेदीपाडा जंगल छेदीपाडा और छेदीपाडा पी. एफ. से होकर पूर्व की ओर जाती है और छेदीपाडा पी. एफ. में प्रारम्भिक बिन्दु “क” पर मिलती है।

[स. 43015/14/2000—पी आर आई डब्ल्यू]

संजय बहादुर, उप सचिव

New Delhi, the 8th March, 2001

S. O. 596.—Whereas it appears to the Central Government that coal is likely to be obtained from the lands in the locality mentioned in the Schedule hereto annexed ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development), Act, 1957 (20 of 1957) (hereinafter referred to as the said Act), the Central Government hereby gives notice of its intention to prospect for coal therein ;

The plan bearing No. MCL/SAMB/CGM (Coal Project and Planning)/Baitarani/00/22 dated 28th April, 2000 of the area covered by this notification can be inspected at the office of the Chief General Manager (Coal Project and Planning), Mahanadi Coalfields Limited, Jagriti Vihar, Burla, Sambalpur - 768018 (Orissa) or at the office of the Collector and District Magistrate, Angul, Orissa or at the office of the Coal Controller, 1, Council House Street, Kolkata.

All persons interested in the lands covered by this notification shall deliver all maps, charts and other documents referred to in sub-section (7) of section 13 of the said Act to the officer-in-charge/Head of the Department (Revenue/Estate), Mahanadi Coalfields Limited, Jagriti Vihar, Burla, Sambalpur - 768018 (Orissa) within ninety days from the date of the publication of this notification in the official Gazette.

SCHEDULE
BAITARANI BLOCK
TALCHER COALFIELDS
DISTRICT ANGUL (ORISSA)

All rights

(Plan bearing No. MCL/SAMB/CGM (Coal Project and Planning)/Baitarani/00/22 dated the 28th April, 2000)

Sl. No.	Village	Police Station & No	Tahsil/ Sub Div.	District/ State	Area in Acres	Remarks
1	Podapada	Chhendipada/42	Angul	Angul/Orissa	511.00	Part
2	Chhendipada Jungle	Chhendipada/75	Angul	Angul/Orissa	2206.36	Part
3	Chhendipada P.F.	Chhendipada/	Angul	Angul/Orissa	3993.60	Part
4	Chhendipada	Chhendipada/73	Angul	Angul/Orissa	470.21	Part
5	Machhakuta Jungle	Chhendipada/77	Angul	Angul/Orissa	256.00	Part
6	Tentuloi Gopinathpur	Chhendipada/94	Angul	Angul/Orissa	516.02	Full
7	Tentuloi	Chhendipada/93	Angul	Angul/Orissa	438.45	Full
8	Podapada Jungle	Chhendipada/41	Angul	Angul/Orissa	350.84	Full
9	Machhakuta	Chhendipada/40	Angul	Angul/Orissa	550.00	Full
Total					9292.48	
					Approximately or 3760.615 Hactares (Approximately)	

Boundary description

- A—B : The line starts from point 'A' in Chhendipada PF near the 'Nallah'. From here, it proceeds towards south through the Chhendipada PF and along the western boundary of the 'Nallah' and eastern boundary of village Tentuloi Gopinathpur upto point 'B' which is the trijunction point of villages Tentuloi Gopinathpur, kunjabiharipur and Kukurpeta Jungle.
- B—C—D—E : From point 'B' the line proceeds towards west along the southern boundary of villages Tentuloi Gopinathpur and Tentuloi upto point 'C'. From here the line proceeds towards north along the western boundary of village Tentuloi upto point 'D' and from there it proceeds towards west along the southern boundary of Chhendipada jungle upto point 'E' which is the trijunction point of villages Chhendipada jungle, Tentulokodasahi and Handigoda.
- E—F—G—H : From point 'E' the line proceeds towards north along the western boundary of Chhendipada Jungle upto point 'F'. From here the line proceeds towards west through Machhakuta Jungle and touches the western boundary of this Jungle at point 'G'. From here the line proceeds towards north along the western boundary of Machhakuta Jungle and village Machhakuta upto point 'H'.
- H—A : From point 'H' the line proceeds towards east through village Podapada, Chhendipada Jungle, Chhendipada and Chhendipada PF and meets at the starting point 'A' in Chhendipada PF.

[No. 43015/14/2000-PRIW]₁

SANJAY BAHADUR, Dy. Secy.

नई दिल्ली, 9 मार्च, 2001

का. आ. 597:—केन्द्रीय सरकार को यह प्रतीत होता है कि इससे उपाबद्ध अनुसूची में उल्लिखित परिक्षेत्र की भूमि में कोयला अभिप्राप्त किए जाने की संभावना है,

अतः, अब, केन्द्रीय सरकार, कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस क्षेत्र में कोयले का पूर्वेक्षण करने के अपने आशय की सूचना देती है;

इस अधिसूचना के अन्तर्गत आने वाले रेखांक सं. सीजीएम/आईबीबी/एसयूआरबी/4/2000 तारीख 8-5-2000 का निरीक्षण, मुख्य महाप्रबंधक (सीपीएण्डपी) महानदी कोलफील्ड्स लि., जागृति विहार, बुरला, संभलपुर-768018 (उड़ीसा) के कार्यालय में या कलकत्ता और जिला मजिस्ट्रेट संभलपुर, उड़ीसा के कार्यालय में या कोयला नियंत्रक, 1, काउंसिल हाउस स्ट्रीट, कलकत्ता के कार्यालय में किया जा सकता है।

इस अधिसूचना के अन्तर्गत आने वाले भूमि में, हितबद्ध सभी व्यक्ति उक्त अधिनियम की धारा 13 की उपधारा (7) में निर्दिष्ट सभी नक्शों, चाटों और अन्य दस्तावेजों को इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से नब्बे दिन के भीतर प्रभारी अधिकारी/विभागाध्यक्ष (राजस्व/सम्पदा), महानदी कोलफील्ड्स लि., जागृति विहार बुरला, संभलपुर-768018 (उड़ीसा) को भेजेंगे।

अनुसूची

आई बी ब्लॉक—XIII

आई बी घाटी कोलफील्ड्स

जिला—भारमुगुडा (उड़ीसा)

सभी अधिकार

(रेखांक सं. : सीजीएम/आईबीबी/एसयूआरबी/4/2000 तारीख 8-5-2000)

क्र. सं.	ग्राम	पुलिस थाना और सं.	तहसील/ उप प्रभाग	जिला/राज्य	क्षेत्र (एकड़ में)	टिप्पणियां
1.	तातावीरा	3	रेवाली	संभलपुर/उड़ीसा	1325.35	भाग
2.	खिंडा	2	पूर्वोक्त	पूर्वोक्त	1450.00	भाग
योग					2775.35	(लगभग)
					या	
					1123.16	हेक्टर (लगभग)

सीमा वर्णन

- क—घ : रेखा बिन्दु "घ" से प्रारंभ होती है, जो ग्राम तालाबीरा, भुरखुंडा और पतरापाली का त्रिसीमा बिन्दु है। यहां से यह ग्राम तालाबीरा से होती हुई पूर्व की ओर बढ़ती है और इस ग्राम की पूर्वी सीमा पार करने के पश्चात् ग्राम खिंडा से होती हुई भेडन नदी के पश्चिमी किनारे पर बिन्दु "च" तक जाती है।
- घ—छ—ज : रेखा ग्राम खिंडा के भीतर दक्षिण-पूर्व की ओर जाती है और इसकी पूर्वी सीमा को बिन्दु "छ" पर स्पर्श करती है। यहां से रेखा ग्राम खिंडा से होती हुई पश्चिम की ओर जाती है और इसकी पश्चिमी सीमा को बिन्दु "ज" पर स्पर्श करती है।
- ज—क : फिर रेखा ग्राम खिंडा और तालाबीरा की पश्चिमी सीमा के साथ-साथ उत्तर की ओर जाती है और प्रारंभिक बिन्दु "क" पर मिलती है।

[सं. 43015/20/2000—पी आर आई डब्ल्यू]
संजय बहादुर, उप सचिव

New Delhi, the 9th March, 2001

S. O. 597.—Whereas it appears to the Central Government that coal is likely to be obtained from the lands in the locality mentioned in the Schedule hereto annexed ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act) the Central Government hereby gives notice of its intention to prospect for coal therein ;

The plan bearing No. CGM/IBV/SURV/4/2000, dated the 8th May, 2000 of the area covered by this notification can be inspected at the office of the Chief General Manager (Coal Project and Planning), Mahanadi Coalfields Limited, Jagriti Vihar, Burla, Sambalpur - 768018 (Orissa) or at the office of the Collector and District Magistrate, Sambalpur, Orissa or at the office of the Coal Controller, 1, Council House Street, Kolkata.

All persons interested in the land covered by this notification shall deliver all maps, charts and other documents referred to in sub-section (6) of section 13 of the said Act to the officer-in charge/Head of the Department (Revenue/Estate), Mahanadi Coalfields Limited, Jagriti Vihar, Burla, Sambalpur - 768018 (Orissa) within ninety days from the date of the publication of this notification in the Official Gazette.

Schedule

IB Block-XIII

IB Valley Coalfield

District Jharsuguda (Orissa)

All rights

(Plan bearing No. CGM/IBV/SURV/4/2000 dated 08-05-2000)

Sl. No.	Village	Police Station and number	Tahsil/Sub Division	District/State	Area in Acres	Remarks
1	Talabira	3	Rengali	Sambalpur/Orissa	1325.35	Part
2	Khinda	2	Rengali	Sambalpur/Orissa	1450.00	Part
Total					2775.35 (Approx.) or 1123.16 Ha. (Approx.)	

Boundary description

- A—F : The line starts from point 'A', which is the trijunction point of villages Talabira, Bhursunda and Patrapali . From here it proceeds towards east through village Talabira and after crossing the eastern boundary of this village through Khinda village upto the western bank of Bheden river at point 'F'.
- F—G—H : The line moves towards south-east within village Khinda and touches its eastern boundary at point 'G'. From here the line moves towards west through village Khinda and touches its western boundary at point 'H'.
- H—A : Then the line moves towards north along the western boundary of villages Khinda and Talabira and meets at the starting point 'A'.

[No. 43015/20/2000-PRIW]

SANJAY BAHADUR, Dy. Secy.

नई दिल्ली, 12 मार्च, 2001

का. आ. 598:—केन्द्रीय सरकार को यह प्रतीत होता है कि इससे उपाबद्ध अनुसूची में उल्लिखित भूमि में कोयला अभिप्राप्त किए जाने की संभावना है ;

अतः, अब, केन्द्रीय सरकार कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) धारा 4 की उपधारा (1) द्वारा प्रबल शक्तियों का प्रयोग करते हुए, उस क्षेत्र में कोयले का पूर्वोक्षण करने के अपने आशय की सूचना देती है ;

इस अधिसूचना के अन्तर्गत आने वाली योजना सं. एमईसीएल/बीएसपी/जीएम/पीएलपी/भूमि / 229 तारीख 6 अगस्त, 1999 का निरीक्षण कलेक्टर, शहडोल (मध्य प्रदेश) के कार्यालय में या कोयला नियंत्रक, 1, काउंसिल हाउस स्ट्रीट, कलकत्ता के कार्यालय में या साउथ ईस्टर्न कोलफील्ड्स लि. (राजस्व अनुभाग), सोपन रोड, बिलामपुर—495006 (मध्य प्रदेश) के कार्यालय में किया जा सकता है।

इस अधिसूचना के अन्तर्गत आने वाली भूमि में, हितबद्ध सभी व्यक्ति उक्त अधिनियम की धारा 13 की उपधारा (7) में विनिर्दिष्ट सभी नक्शों, चाटों और अन्य दस्तावेजों को इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से नब्बे दिन के भीतर, भारसाधक अधिकारी/विभागाध्यक्ष (राजस्व), साउथ ईस्टर्न कोलफील्ड्स लि., सोपन रोड, बिलामपुर—495006 (मध्य प्रदेश) को भेजेंगे।

अनुसूची

करकटी ब्लाक विस्तार

सोहागपुर क्षेत्र

जिला—शहडोल (मध्य प्रदेश)

(रेखांक सं. एमईसीएल/बीएसपी/जीएम/पीएलपी/भूमि/ 229 तारीख

6 अगस्त, 1999)

(पूर्वोक्षण के लिए भूमि दर्शाते हुए)

क्र. सं.	ग्राम का नाम	पटवारी हल्का संख्या	तहसील	जिला	क्षेत्र हेक्टेयर में	टिप्पण
1.	मिरौंजा	99	सोहागपुर	शहडोल	311.004	भाग
2.	देवगवां	99	सोहागपुर	शहडोल	136.000	भाग
3.	देवगई	99	सोहागपुर	शहडोल	036.000	भाग

कुल : 483.0004 हेक्टेयर (लगभग)

या 1193.50 एकड़ (लगभग)

रेखा ग्राम सिंगेजा की दक्षिणी तथा पश्चिमी सीमा से होती हुई आरंभिक बिन्दु “क” पर मिलती है।

संजय बहादुर, उप . सचिव

TOTAL : 483.004 Hcctares (approximately OR 1193.50 Acres (Approximately))

Boundary Description

- A—B—C—D** Line starts from point 'A' on the common boundary of villages Sirounja and Chhirha; and passes through villages Sirounja, Deogawan, Deogai and meets at point 'D'.
- D—E** Line passes partly along the Eastern Boundary then Southern boundary of village Deogai, Eastern then Southern Boundary of Village Deogawan and meets on the common boundary of Villages Deogawan, Sirounja at point 'E'.
- E—F—A** Line passes along the Southern, then Western boundary of village Sirounja and meets at the starting point 'A'.

[No. 43015/9/99-PRIW]

SANJAY BAHADUR, Dy. Secy.

नई दिल्ली, 12 मार्च, 2001

का.आ. 599—केन्द्रीय सरकार ने कोयला धारक क्षेत्र (अर्जन और विकास अधिनियम 1957 (1957 का 20) जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 4 की उपधारा (1) के अधीन निकाली गई भारत के राजपत्र, भाग II खंड 3, उपखंड (ii) तारीख 29 अप्रैल, 2000 में प्रकाशित भारत सरकार के कोयला मंत्रालय की अधिसूचना संख्यांक का. आ. 898, तारीख, 17 अप्रैल 2000 द्वारा उस अधिसूचना में उपावद्ध अनुसूची में, विनिर्दिष्ट परिक्षेत्र, की भूमि में जिसका माप 943.582 हेक्टर (लगभग) या 2331.60 एकड़ (लगभग) है, कोयले का पूर्वक्षण करने के अपने आशय की सूचना दी थी।

और केन्द्रीय सरकार का यह समाधान हो गया है कि उक्त भूमि के भाग में कोयला अभिप्राप्य है।

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की उपधारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए निम्नलिखित भूमि का अर्जन करने के अपने आशय की सूचना देती है:

- (क) इससे संलग्न अनुसूची "क" में वर्णित 239-591 हेक्टर (लगभग) या 592.03 एकड़ (लगभग) माप की भूमि:
- (ख) इससे संलग्न अनुसूची "ख" में वर्णित 163.966 हेक्टर (लगभग) या 405.16 एकड़ (लगभग) माप की भूमि में खनिजों का खनन, खदान वेधन करने, उनकी खुदाई और तलाश करने, उन्हें प्राप्त करने, उन पर कार्य करने और ले जाने के अधिकार:

टिप्पणी 1 : इस अधिसूचना के अंतर्गत आने वाले क्षेत्र के रेखांक सं. एस ई सी एल/बी एस सी/ जी एम (पी एल जी/ लैड 241 तारीख 19 जुलाई, 2000 का निरीक्षण कलेक्टर, उमरिया (मध्य प्रदेश) के कार्यालय में या कोयला निबंधक, 1 कार्गिसल हाउस स्ट्रीट, कलकत्ता-700 001 के कार्यालय में या साउथ ईस्टर्न कोलफील्ड्स लि. (राजस्व अनुभाग) सीपत रोड, बिलासपुर 495006 (मध्य प्रदेश) के कार्यालय में किया जा सकता है।

टिप्पणी 2 : उक्त अधिनियम की धारा 8 के उपबंधों की ओर ध्यान आकृष्ट किया जाता है, जिसमें निम्नलिखित उपबंध है।

8. अर्जन के प्रति आक्षेप :— (1) कोई व्यक्ति जो किसी भूमि में जिसकी बाबत धारा 7 के अधीन अधिसूचना निकाली गई है, हितबद्ध है, अधिसूचना के निकाले जाने से तीस दिन के भीतर सम्पूर्ण भूमि या उसके किसी भाग या ऐसी भूमि में या उस पर के किन्हीं अधिकारों का अर्जन किए जाने के बारे में आक्षेप कर सकेगा।

स्पष्टीकरण :— इस धारा के अर्थान्तर्गत यह आक्षेप नहीं माना जाएगा कि कोई व्यक्ति किसी भूमि में कोयला उत्पादन के लिए स्वयं खनन संक्रियाएं करना चाहता है और ऐसी संक्रियाएं केन्द्रीय सरकार या किसी अन्य व्यक्ति को नहीं करनी चाहिए।

(2) उपधारा (1) के अधीन प्रत्येक आक्षेप, सक्षम प्राधिकारी को लिखित रूप में किया जाएगा और सक्षम प्राधिकारी आक्षेपकर्ता को स्वयं सुने जाने का या विधि व्यवसायी के द्वारा सुनवाई का अवसर देगा और ऐसे सभी आक्षेपों को सुनने के पश्चात् और ऐसी प्रतिरिक्त जांच यदि कोई हो, करने के पश्चात् जो वह आवश्यक समझता है वह या तो धारा 7 की उपधारा (1) के अधीन अधिसूचित भूमि के या ऐसी भूमि में या उस पर के अधिकारों के संबंध में एक रिपोर्ट या ऐसी भूमि के विभिन्न टुकड़ों या ऐसी भूमि में या उस पर के अधिकारों के संबंध में आक्षेपों पर अपनी सिफारिशों और उसके द्वारा की गई कार्यवाही के अभिलेख सहित विभिन्न रिपोर्ट केन्द्रीय सरकार को, उसके विनिश्चय के लिए देगा।

(3) इस धारा के प्रयोजनों के लिए वह व्यक्ति किसी भूमि में हितबद्ध समझा जाएगा जो प्रतिकर में हित का दावा करने का हकदार होता यदि भूमि या किसी ऐसी भूमि में या उस पर के अधिकार इस अधिनियम के अधीन अर्जित कर लिए जाते हैं।

टिप्पणी 3 : केन्द्रीय सरकार ने कोयला निबंधक 1, कार्गिसल हाउस, स्ट्रीट कलकत्ता 700001, को उक्त अधिनियम की धारा 3 के अधीन भारत के राजपत्र भाग 2, खंड 3 उपखंड (ii) तारीख 4 अप्रैल, 1987 के पृष्ठ 1397 से 1400 पर प्रकाशित संख्या का. आ. 905, तारीख 20 मार्च, 1987 द्वारा सक्षम प्राधिकारी नियुक्त किया है।

अनुसूची "क"

कंचन ब्लाक

जोहिला क्षेत्र

जिला-उमरिया (मध्य प्रदेश)

सभी अधिकार

क्रम संख्या	ग्राम का नाम	माधारण संख्या	तहसील	जिला	क्षेत्र हेक्टर में	टिप्पण
01.	लहंगी कोठार	658	बांधवगढ	उमरिया	62.528	भाग
02.	करनपुरा	85	बांधवगढ	उमरिया	1.059	भाग
03.	छुईहाई	246	बांधवगढ	उमरिया	73.238	भाग
04.	धनबाही	351	बांधवगढ	उमरिया	102.766	भाग

कुल 239.591 हेक्टर (लगभग) या 592.03 एकड़ (लगभग)

1. ग्राम लहंगी कोठार (भाग) में अर्जित किए जाने वाले प्लॉट संख्यांक :—

13 (भाग), 14, 15, 16, 17, (भाग) 18 से 39, 40 (भाग) 41 (भाग), 42 (भाग) 43 (भाग) 44 (भाग), 45 (भाग), 46 (भाग) 47, 48, 49 (भाग) 50, 51 (भाग) 52, 57 (भाग) 58 से 63, 161 (भाग) 162 (भाग) 176 (भाग), 169 (भाग), 180 (भाग) 181 (भाग), 182 (भाग), 183 (भाग), 196 (भाग), 211 (भाग), 212 से 216, 218, 219 (भाग), 221, 222, 223, 238, 239 (भाग), 240 (भाग), 241 (भाग), 242 (भाग), 244 (भाग), 276 (भाग), 4/279 (भाग),

2. ग्राम करनपुरा (भाग) में अर्जित किए जाने वाले प्लॉट संख्यांक :—

1 (भाग), 2 (भाग), 4 (भाग) 5 (भाग)

3. ग्राम छुईहाई (भाग) में अर्जित किए जाने वाले प्लॉट संख्यांक :—

1, 2 (भाग), 11 (भाग), 12 (भाग), 13 (भाग), 14 (भाग), 17 (भाग), 18 (भाग), 19 से 62, 63 (भाग), 65 (भाग), 66 (भाग), 67, 68 (भाग), 69 (भाग), 70 (भाग), 71, 72, 73 (भाग), 74, 75 (भाग) 76 से 82, 83 (भाग), 84 से 88, 89/303 (भाग)

4. ग्राम धनबाही (भाग) में अर्जित किए जाने वाले प्लॉट संख्यांक :—

17 (भाग), 18, 19 (भाग), 28, (भाग), 29 से 33, 34 (भाग), 35, 36, 37, 38 (भाग), 39 (भाग), 40 से 70, 71 (भाग), 72, 73 (भाग), 74 (भाग), 153 (भाग), 156 से 161, 157/162, 159/163, 155, 170, 151/171, 60/172 ।

सीमा वर्णन :—

क—ख रेखा ग्राम धुलधुनी और धनबाही के जंक्शन बिन्दु "क" से आरम्भ होती है और ग्राम धनबाही के प्लॉट संख्या 28, 34, 19, 38, 39, 73, 74, 71, 155 से होकर ग्राम छुईहाई में प्रवेश करती है और संख्या 65, 63, 66, 68, 69, 70, 73 से होते हुई ग्राम लहंगी कोठार के प्लॉट संख्या 17, 4/279, 13 से होती हुई बिन्दु "ख" पर मिलती है।

ख—ग—घ रेखा ग्राम लहंगी कोठार के प्लॉट संख्या 59 की उत्तरी सीमा, प्लॉट संख्या 59, 63, 52 की पूर्वी सीमा प्लॉट संख्या 51, 49, 44, 45, 46, 43, 42, 41, 40, 211 से प्लॉट संख्या 212, 216 की पूर्वी सीमा, प्लॉट संख्या 218 की उत्तरी सीमा से होते हुई बिन्दु "घ" पर मिलती है।

घ—ङ रेखा ग्राम लहंगी कोठार के प्लॉट संख्या 218, 239 की उत्तरी सीमा के साथ-साथ प्लॉट संख्या 240, 241, 242, 196, 179, 180, 181, 182, 183, 162, 161, 276 में से होने हुए ग्राम करनपुरा में प्रवेश करती है और प्लॉट संख्या 4, 2, 1 से होकर बिन्दु "ङ" पर मिलती है।

ङ—च रेखा भागन : ताला की पूर्वी सीमा से होने हुए बिन्दु "च" पर मिलती है।

- च—छ रेखा ग्राम करनपुरा के प्लॉट संख्या 1, 2, 5, 2, 4 में से होते हुए लहंगी कोठार में प्रवेश करती है और प्लॉट संख्या 276, 161, 162, 183, 182, 181 प्लॉट संख्या 180 की दक्षिणी सीमा, प्लॉट संख्या 179, 196, 176, 244, 242, 241, 240, 239 से प्लॉट संख्या 238, 218 की दक्षिणी सीमा प्लॉट संख्या 219 में से होते हुए प्लॉट संख्या 216, 221, 223 की दक्षिणी सीमा प्लॉट संख्या 223 की पश्चिमी सीमा में से होते हुई ग्राम लहंगी कोठार और छुईहाई की सम्मिलित सीमा पर बिन्दु "छ" पर मिलती है।
- छ—ज रेखा ग्राम छुईहाई के प्लॉट संख्या 75 से प्लॉट संख्या 8, 87, 85 की दक्षिणी सीमा, प्लॉट संख्या 89/303 83, 17, 18, 14, 13, 12, 11, 2 से होते हुए बिन्दु "ज" पर मिलती है।
- ज—झ रेखा भागत : ग्राम छुईहाई नौसेमेर और धनबाही-नौसेमेर की सम्मिलित सीमा के साथ-साथ होते हुई बिन्दु "झ" पर मिलती है।
- झ—क रेखा ग्राम धनबाही और घुलघुली की सम्मिलित सीमा के साथ-साथ होते हुई आरम्भिक बिन्दु "क" पर मिलती है।

अनुसूची "ख"

कंचन ब्लाक

जोहिला क्षेत्र

जिला उमरिया (मध्य प्रदेश)

ब्लाक-1

खतन अधिकार

क्रम	ग्राम का नाम	साधारण संख्या	तहसील	जिला	क्षेत्र हेक्टर में	टिप्पण
संख्यांक						
1.	घुलघुली	201	बायेंवगढ़	उमरिया	35.541	भाग
2.	नौसेमेर	380	बायेंवगढ़	उमरिया	31.483	भाग
योग —						67.024 हेक्टर

1. ग्राम घुलघुली (भाग) में अर्जित किए जाने वाले प्लॉट संख्यांक:—

9(भाग), 10 (भाग), 11 (भाग), 12(भाग), 13, से 18, 19 (भाग) 20, (भाग), 28 (भाग), 29, 30, (भाग) 33, (भाग), 34, से 102, 28/103, 42/104, 43/105, 43/106, 16/107.

2. ग्राम नौसेमेर (भाग) में अर्जित किए जाने वाले प्लॉट संख्यांक:—

1 (भाग), 2, 3, 4, 5, 6, 13(भाग), 14(भाग), 15(भाग), 26(भाग), 29, 30, 31 (भाग), 50 (भाग), 51 (भाग), 52, 53 (भाग), 55(भाग).

सीमा वर्णन (ब्लाक-1)

ज—झ रेखा बिन्दु "ज" ग्राम छुईहाई नौसेमेर की सम्मिलित सीमा से आरंभ होता है, और सभी अधिकारी क्षेत्र सीमा वर्णन के अनुसार जाकर बिन्दु "झ" पर मिलती है।

झ—क रेखा सभी अधिकार क्षेत्र सीमा में वर्णन के अनुसार जाकर बिन्दु "क" पर मिलती है।

क—क 1 रेखा भागत: धनबाही घुलघुली ग्रामों की सम्मिलित सीमा से ग्राम घुलघुली के प्लॉट संख्यांक 28, 30, 33, 20, 19, 12, 11, 10, 9 से होकर बिन्दु "क 1" पर मिलती है।

क 1—क 2 रेखा नाना के साथ-साथ जाती है और बिन्दु "क 2" पर मिलती है।

क 2—ज रेखा ग्राम नीलेमेर के प्लाट संख्या 15, 13, 14 से प्लाट संख्या 3, 5 की दक्षिणी सीमा से प्लाट संख्या 14, से प्लाट संख्या 6, 29 की दक्षिणी सीमा और फिर प्लाट संख्या 26, 31, 50, 51, 53, 55 से होती हुई आरंभिक बिन्दु "ज" पर मिलती है।

अनुसूची "ख" निरन्तर

ब्लाक-II

खनन अधिकार

क्र.	ग्राम का नाम	साधारण संख्या	तहसील	जिला	क्षेत्र हेक्टर में	टिप्पण
1.	लहंगी कोठार	658	बाधवगढ़	उमरिया	95.452	भाग
2.	करनपुरा	85	बाधवगढ़	उमरिया	1.490	भाग
					योग 96.942 हेक्टर	
कुल योग (ब्लाक I+II) 163.966 हेक्टर लगभग या 405.16 एकड़ (लगभग)						

1. ग्राम लहंगी कोठार (भाग) में अर्जित किए जाने वाले प्लाट संख्यांक :—

41(भाग), 42(भाग), 43(भाग), 44(भाग), 45(भाग), 49 (भाग), 51(भाग), 53, 54, 55, 56, 57 (भाग), 64, 65, 66, 67, 68 (भाग), 75 (भाग), 80(भाग), 81(भाग), 82(भाग), 83, 84, 85, 86 (भाग), 87 (भाग), 88 से 98, 99(भाग), 100 से 160, 161(भाग), 162 (भाग) 179(भाग), 180 (भाग), 181(भाग), 182(भाग), 183 (भाग), 184 से 195, 196 (भाग), 197 से 210, 211 (भाग), 217, 240 (भाग), 241(भाग), 242(भाग), 276 (भाग), 277.

2. ग्राम करनपुरा (भाग) में अर्जित किए जाने वाले प्लाट संख्यांक :—

1 (भाग), 2 (भाग), 3, 4(भाग)

सीमा वर्णन (ब्लाक II)

ख-ग-घ रेखा बिन्दु "ख" से आरंभ होती है और सभी अधिकार क्षेत्र सीमा वर्णन के अनुसार जाकर बिन्दु "घ" पर मिलती है।

घ-ङ रेखा सभी अधिकार क्षेत्र सीमा वर्णन के अनुसार जाकर बिन्दु "ङ" पर मिलती है।

ङ-ख 1 रेखा लहंगी नाला की सीमा के साथ-साथ होते हुए जो लहंगी कोठार और डागडोवा की सम्मिलित सीमा भी है, बिन्दु "ख 1" पर मिलती है।

ख 1—ख रेखा ग्राम लहंगी कोठार के प्लाट संख्यांक 99, 87, 86, 81, 80, 82, 75, 68 से होकर आरंभिक बिन्दु "ख" पर मिलती है।

New Delhi, the 12th March, 2001

S.O. 599.—Whereas by the Notification of the Government of India in the Ministry of Coal, Number S.O. 898 dated 17th April, 2000, issued under Sub-Section (1) of Section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act) and published in Part-II, Section 3, Sub-Section (ii) of the Gazette of India, dated the 29th April, 2000, the Central Government gave notice of its intention to prospect for coal in 943.582 hectares (approximately) or 2331.60 acres (approximately) in the lands in the locality specified in the schedule annexed to that notification;

And, whereas, the Central Government is satisfied that coal is obtainable in a part of the said lands;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 7 of the said Act, the Central Government hereby gives notice of its intention to acquire the following lands:—

- (a) The lands measuring 239.591 hectares (approximately) or 592.03 acres (approximately) described in Schedule 'A' appended hereto;
- (b) The rights to mine quarry, bore, dig and search for, win work and carry away minerals in the lands measuring 163.966 hectares (approximately) or 405.16 acres (approximately) described in the Schedule 'B' appended hereto;

Note: 1. The plan bearing No. SECL/BSP/GM (Plg)/Land/241 dated the 19th July, 2000 of the area covered by this notification may be inspected in the Office of the Collector, Umaria (Madhya Pradesh) or in the Office of the Coal Controller, 1, Council House Street, Kolkatta 700 001 or in the Office of the South Eastern Coalfields Limited (Revenue Section), Seepat Road, Bilaspur-495006 (Chhattisgarh).

Note: 2. Attention is hereby invited to the provisions of Section 8 of the said Act, which provides as follows:—
Objection to Acquisition

“8(1) Any person interested in any land in respect of which a notification under Section 7 has been issued may within thirty days of the issue of the Notification, object to the acquisition of the whole or any part of the land or of any rights in or over such land.

Explanation. It shall not be an objection within the meaning of this section for any person to say that he himself desires to undertake mining operations in the land for the production of coal and that such operations should be undertaken by the Central Government or by any other person.

(2) Every objection under sub-section (1) shall be made to the competent authority in writing, and the competent authority shall give the objector an opportunity of being heard either in person or by a legal practitioner and shall, after hearing all such objections and after making such further inquiry, if any as he thinks necessary, either, makes a report in respect of the land which has been notified under sub-section (1) or Section 7 or of rights in or over such land, or make different reports in respect of different parcels of such land or of rights in or over such land, to the Central Government, containing his recommendation on the objections together with the record of the proceedings held by him, for the decision of that Government.

(3) For the purpose of this section, a person shall be deemed to be interested in land who would be entitled to claim an interest in compensation if the land or any rights in or over such land were acquired under this Act”.

Note: 3. The Coal Controller, 1, Council House Street, Kolkatta-700 001 has been appointed by the Central Government, as the competent authority under section 3 of the said Act, vide Notification under S.O. No. 905, dated the 20th March, 1987 published in Part-II, Section-3, Sub-Section (ii) of the Gazette of India, dated the 4th April, 1987 at pages 1397 to 1400.

SCHEDULE 'A'

KANCHAN BLOCK

JOHILLA AREA

DISTRICT—UMARIA (MADHYA PRADESH)

ALL RIGHTS

Serial Number	Name of village	General Number	Tahsil	District	Area in Hectares	Remark
1.	Lahangi Kothar	658	Bandhogarh	Umaria	62.528	Part
2.	Karanpura	85	Bandhogarh	Umaria	1.059	Part
3.	Chhuihai	246	Bandhogarh	Umaria	73.238	Part
4.	Dhanbahi	351	Bandhogarh	Umaria	102.766	Part

TOTAL : 239.591 hectares (approximately) OR 592.03 acres (approximately)

- Plot Numbers to be acquired in the Village Lahangi Kother (Part)
13 (Part), 14, 15, 16, 17 (Part), 18 to 39, 40 (Part), 41 (Part), 42 (Part), 43 (Part), 44 (Part), 45 (Part), 46 (Part), 47, 48, 49 (Part), 50, 51 (Part), 52, 57 (Part), 458 to 63, 161 (Part), 162 (Part), 176 (Part), 179 (Part), 180 (Part), 181 (Part), 182 (Part), 183 (Part), 196 (Part), 211 (Part), 212 to 216, 218, 219 (Part), 221, 222, 223, 238 239 (Part), 240 (Part), 241 (Part), 242 (Part), 244 (Part), 276 (Part), 4/279 (Part).
- Plot Numbers to be acquired in Village Karanpura (Part)
1 (Part), 2 (Part), 4 (Part), 5 (Part)
- Plot numbers to be acquired in Village Chhuihai (Part)
1, 2 (Part), 11 (Part), 12 (Part), 13 (Part), 14 (Part), 17 (Part), 18 (Part), 19 to 62, 63 (Part), 65 (Part), 66 (Part), 67, 68 (Part), 69 (Part), 70 (Part), 71, 72, 73 (Part), 74, 75 (Part), 76 to 82, 83 (Part), 84 to 88, 89/303 (Part).
- Plot Numbers to be acquired in Village Dhanbahi (Part)
17 (Part), 18, 19 (Part), 28 (Part), 29 to 33, 34 (Part), 35, 36, 37, 38 (Part), 39 (Part), 40 to 70, 71 (Part), 72, 73 (Part), 74 (Part), 155 (Part), 156 to 161, 157/162, 159/163, 155/170, 155/171, 60/172.

BOUNDARY DESCRIPTION

- A—B Line starts from point 'A' on the junction of Village Ghulghuli and Dhanbahi and passes in Village Dhanbahi through plot numbers 28, 34, 19, 17, 38, 39, 73, 74, 71, 155, then enter in Village Chhuihai and passes through plot No: 65, 63, 66, 68, 69, 70, 73, then passes in Village Lahangikohar and passes through plot numbers 17, 4/279, 13 and meets at point 'B'.
- B—C—D Line passes in Village Lahangi Kothar along the Northern boundary of Plot number 59, Eastern boundary of Plot No. 59, 62, 52, then through plot numbers 51, 49, 44, 45, 46, 43, 42, 41, 40, 211 then Eastern boundary of 212, 216, Northern boundary of plot number 218 and meets at point 'D'.
- D—E Line passes along Northern boundary of Plot Numbers 218, 239, through Plot Numbers 240, 241, 242, 196, 179, 180, 181, 182, 183, 162, 161, 276 of Village Lahangi Kothar then enter in Village Karanpura passes through Plot Numbers 4, 2, 1, and meets at point 'E'.
- E—F Line passes partly along the Eastern boundary of Nalla and meets at point 'F'.

- F—G** Line passes in Village Karanpura through Plot Numbers 1, 2, 5, 2, 4 then enter in Village Lahangi Kothar and passes through Plot Numbers 276, 161, 162, 183, 182, 181, Southern boundry of Plot number 180, through plot number 179, 196, 176, 244, 242, 241, 240, 239 Southern boundary of Plot numbers 238, 218, through plot number 219 Southern boundary of Plot numbers 216, 221, 223, Western boundary of Plot No. 223 and meets on the common boundary of village Lahangi Kothar-Chhuihai at point 'G'.
- G—H** Line passes in Village Chhuihai through Plot Number 75, Southern boundary of Plot Numbers 88, 87, 85 through Plot Numbers 89/303, 83, 17, 18, 14, 13, 12, 11, 2 and meets at point 'H'.
- H—I** Line passes along the partly common boundary of Village Chhuihai—Nausemar, Dhanbhai—Nausemar and meets at point 'I'.
- I—A** Line passes along the common boundary of Village Dhanbahi and Ghulghuli and meets at the starting point 'A'.

SCHEDULE—B

KANCHAN BLOCK

JOHILLA AREA

DISTRICT—UMARIA (MADHYA PRADESH)

BLOCK—1

MINING RIGHTS

Serial Number	Name of Village	General Number	Tahsil	District	Area in Hectares	Remarks
1.	Ghulghuli	201	Bandhogarh	Umaria	35.541	Part
2.	Nausemar	380	Bandhogarh	Umaria	31.483	Part
TOTAL					67.024	Hectares

1. Plot Numbers to be acquired in Village Ghulghuli (Part)

9 (Part), 10 (Part), 11 (Part), 12 (Part), 13 to 18, 19 (Part), 20 (Part), 28 (Part), 29, 30 (Part), 33 (Part), 34 to 102, 28/103, 42/104, 43/105, 43/106, 16/107.

2. Plot Numbers to be acquired in Village Nausemar (Part)

1 (Part), 2, 3, 4, 5, 6, 13 (Part), 14 (Part), 15 (Part), 26 (Part), 29, 30, 31 (Part), 50 (Part), 51 (Part), 52, 53 (Part), 55 (Part)

BOUNDARY DESCRIPTION (BLOCK-1)

H—I Line starts from point 'H' on the common boundary of Chhuihai—Nausemar Village and passes as described as All Right area boundary and meets at point 'I'.

I—A Line passes as described as All Right area boundary and meets at point 'A'.

- A—A1 Line passes partly along the common boundary of Dhanbhai—Ghulghuli villages then passes through Plot Numbers 28, 30, 33, 20, 19, 12, 11, 10, 9 of Village Ghulghuli and meets at point 'A1'.
- A1—A2 Line passes along the nalla and meets at point 'A2'.
- A2—H Line passes through village Nausemar through plot numbers 15, 13, 14, Southern boundary of Plot Numbers 3, 5, through Plots 14, Southern boundary of Plot Numbers 6, 29, then through Plot Numbers 26, 31, 50, 51, 53, 55 and meets at the starting point 'H'.

SCHEDULE 'B' CONTINUED

BLOCK - II

MINING RIGHTS

Serial Number	Name of Village	Village Number	Tahsil	District	Area in Hectares	Remarks
1.	Lahangi-Kothar	658	Bandhogarh	Umaria	95.452	Part
2.	Karanpura	85	Bandhogarh	Umaria	1.490	Part
TOTAL:					96.942 Hectares	

GRAND TOTAL : BLOCK I & II = 163.966 Hectares (Approximately)
OR 405.16 Acres (Approximately)

1. Plot Numbers to be acquired in Village Lahangi Kothar (Part)

41 (Part), 42 (Part), 43 (Part), 44 (Part), 45 (Part), 49 (Part), 51 (Part), 53, 54, 55, 56, 57 (Part), 64, 65, 66, 67, 68 (Part), 75 (Part), 80 (Part), 81 (Part), 82 (Part), 83, 84, 85, 86 (Part), 87 (Part), 88 to 98, 99 (Part), 100 to 160, 161 (Part), 162 (Part), 179 (Part), 180 (Part), 181 (Part), 182 (Part), 183 (Part), 184 to 195, 196 (Part), 197 to 210, 211 (Part), 217, 240 (Part), 241 (Part), 242 (Part), 276 (Part), 277.

2. Plot numbers to be acquired in Village Karanpura (Part).

1 (Part), 2 (Part), 3, 4 (Part).

BOUNDARY DESCRIPTION

- B—C—D Line starts from point 'B' in village Lahangi Kothar and passes as described in All Rights area boundary and meets at point 'D'.
- D—E Line passes as described in All Rights area boundary and meets at point 'E'.
- E—B1 * Line passes along Lahangi Nalla which is also common boundary of Village Lahangi Kothar and Dagdowa and meets at point 'B1'.
- B1—B Line passes through Village Lahangi Kothar and passes through Plot Numbers 99, 87, 86, 81, 80, 82, 75, 68 and meets at the starting point 'B'.

उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्रालय

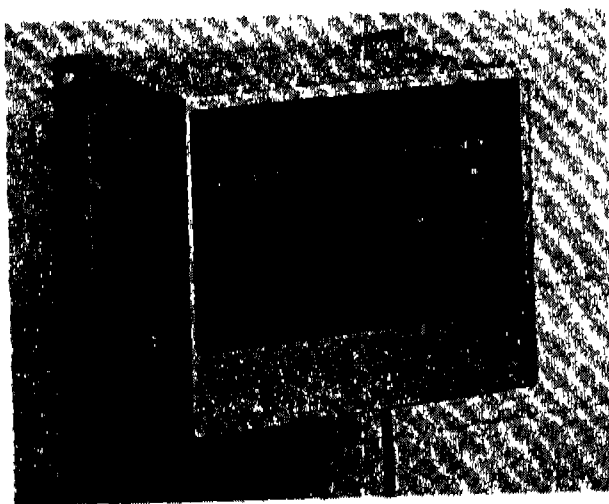
(उपभोक्ता मामले विभाग)

नई दिल्ली, 14 मार्च, 2001

का. आ. 600—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स भित्तलर तोलेदेव इंडिया प्राइवेट लिमिटेड, अमर हिल्स, एस बी रोड, पोवई, मुम्बई-400072 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "टी एम डी" शृंखला के अंकीय सूचन सहित, स्वतःसूचक अस्वचालित तोलन उपकरण (बहुभार सेट प्रकार की तुला चौकी) के मॉडल का जिसके ब्रांड का नाम "ट्रक मास्टर डिजिटल तोल (टी एम डी)" है (जिसे इसमें इसके पश्चात् "मॉडल" कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2000/198 दिया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है;

यह मॉडल (आकृति देखें) जिसकी अधिकतम क्षमता 40000 किलोग्राम और न्यूनतम क्षमता 200 किलोग्राम है, का तोलन उपकरण है। सत्यापन मापमान (ई) का मान 10 किलोग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। भारग्राही आयताकार है, जिसकी भुजाएं 9×3 मीटर हैं। निर्वात प्रतिदीप्ति प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करती है;



JAGUAR harsh environment enclosure

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि मॉडल के इस अनुमोदन प्रमाणपत्र के अन्तर्गत, उसी शृंखला के उसी मेक, उसी यथार्थता और कार्यपालन वाले ऐसे तोलन उपकरण भी होंगे, जिनकी अधिकतम क्षमता 5 टन से अधिक है और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमोदित मॉडल का विनिर्माण किया गया है, और जिनके सत्यापन मापमान के अन्तराल (एन) की संख्या सहित 5 ग्राम या अधिक के लिए "ई" मान 500 से 10000 की रेंज में तथा सहित "ई" मान 1×10^6 , 2×10^6 और 5×10^6 है जिसमें के घनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

[फा. सं. डब्ल्यू. एम.-21(141)/99]

पी. ए. कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

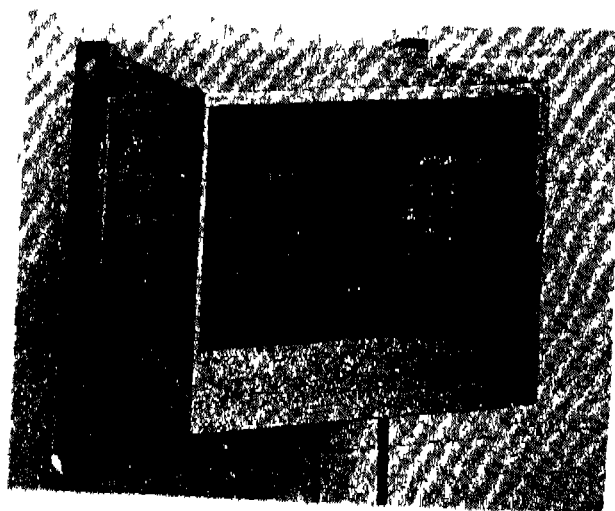
MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION**(Department of Consumer Affairs)**

New Delhi, the 14th March, 2001

S.O. 600.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) of Section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the Model of the self-indicating non-automatic, (Multi-load cell type weighbridge) weighing instrument with digital indication of "TMD" series of medium accuracy (Accuracy class III) and with brand name "Truck Master Digit (TMD)" (hereinafter referred to as the model) manufactured by M/s. Mettler-Toledo India Private Limited, Amar Hills, S.V. Road, Powai, Mumbai-400 072 and which is assigned the approval mark IND/09/2000/198.

The said model (see figure) is a weighing instrument with a maximum capacity of 40,000kg and minimum capacity of 200kg. The verification scale interval (e) is 10kg. It has a tare device with a 100 per cent subtractive retained tare effect. The load receptor is of rectangular section of size 9×3 meter. The vacuum fluorescent display indicates the weighing result. The instrument operates on 230 volts and 50-Hertz alternate current power supply;



JAGUAR harsh environment enclosure

And Further, in exercise of the powers conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instrument of similar make, accuracy and performance of same accuracy class and of same series having maximum capacity more than 5 tonne and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value 1×10^4 , 2×10^4 , 5×10^4 , being the positive or negative whole number or equal to zero, manufactured by the same manufacturer with the same principle, design and with the same materials which, the approved model has been manufactured.

[F No WM-21(141)/99]

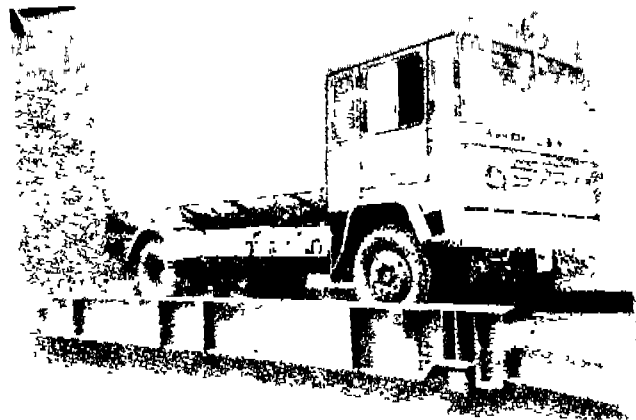
P A KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 14 मार्च, 2001

का. आ. 601.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त मॉडल अपनी यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम, की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स अम्बिका स्केल्स मैन्यूफैक्चरिंग वर्क्स, 6, हितेन्द्रनगर सहकारिक औद्योगिक बसाहत लि., चैस्ट डिजीज हास्पिटल के समीप, मरोदा रेल क्रासिंग के सामने, मरोदा-382340 द्वारा विनिर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग III) वाले अंकीय सूचन सहित, अस्वचालित तोलन उपकरण (बहुभार सेल तुला चौकी प्रकार) के मॉडल का (जिसे इसमें इसके पश्चात् मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2000/264 दिया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है;

यह मॉडल (आकृति देखें) अस्वचालित तोलन उपकरण है जिसकी अधिकतम क्षमता 50 टन और न्यूनतम क्षमता 200 कि. ग्राम है सत्यापन मापमान (ई) का मान 10 ग्राम है। प्रदर्श इकाई प्रकाश उत्सर्जक डायोड की है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है;



और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि मॉडल के इस अनुमोदन प्रमाणपत्र के अन्तर्गत, उसी शृंखला के उसी मेट्रिक, उसी यथार्थता और कार्यपालन वाले ऐसे तोलन उपकरण भी होंगे, जिनकी अधिकतम क्षमता 5 टन तक है और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी मिश्रित, डिजाइन और उसी सामग्री से किया जाता है जिसमें अनुमोदित मॉडल का विनिर्माण किया गया है, और जिनके सत्यापन मापमान अन्तराल (एन) की संख्या 5 ग्राम या अधिक "ई" मान के लिए 500 से 10,000 की श्रेणी में है तथा जिनका "ई" मान 1×10^3 , 2×10^3 और 5×10^3 है जिसमें के धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

[फा म दक्र नु गम 21(39)/99।

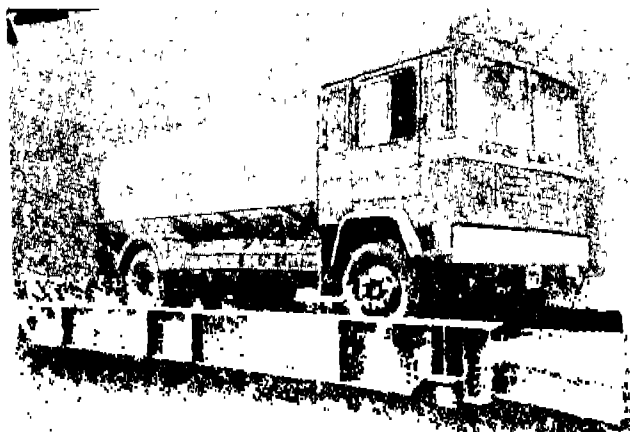
पी ए कृष्णमूर्ति निदेशक विश्विक माप विज्ञान

New Delhi, the 14th March, 2001

S.O. 601.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the Model of non-automatic, weighing instrument with digital display (Multi-load cell Weighbridge type) belonging to Medium accuracy class (Accuracy Class III) (herein referred to as the model) manufactured by M/s. Ambika Scales Mfg. Works, 6, Hitendranagar Sahakaric Audyogik Vasahat Ltd., Near Chest disease Hospital, O/s Naroda Rly. crossing, Naroda-382 340 and which is assigned the approval mark IND/09/2000/264;

The model (see figure) is a non-automatic weighing Instrument, its maximum capacity is 50 tonne, minimum capacity is 200 kg. and value of verification scale interval (e) is 10 kg. The display unit is of light emitting diode type. The instrument operates on 230 volts and 50-Hertz alternate current power supply;



Further, in exercise of the powers conferred by sub-section (12) of the said section, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instruments of similar make, accuracy and performance of the same series with maximum capacity above 5 tonne and with number of verification scale interval (n) in the range 500 to 10,000 for 'e' value of 5g or more and with 'e' value 1×10^k , 2×10^k , 5×10^k , where k is a negative or positive whole number or zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved model have been manufactured.

[F. No. W.M.-21(89)/99]

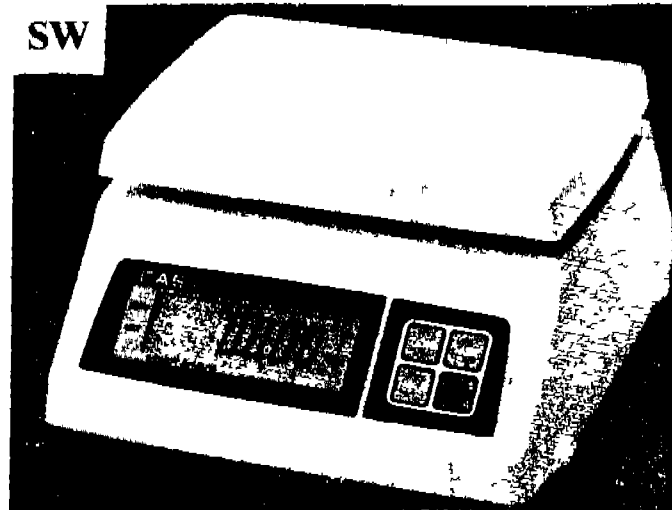
P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 14 मार्च, 2001

का. आ. 602.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मापक अधिनियम, 1976 (1976 का 60) और बाट और माप मापक (मॉडलो का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त मॉडल अपनी यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम, की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स सी ए एस वेईंग इंडिया प्रा लि, 568, उद्योग विहार, फेज-5, गुडगांव-122016 हरियाणा द्वारा विनिर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग III) वाले एस डब्ल्यू-1 शृंखला के अस्वचालित अंकक सूचन सहित उपकरण (टेबल टॉप प्रकार के) के मॉडल का जिसके ब्रांड का नाम सी ए एस (जिसे इसके पश्चात् मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2000/288 दिया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है;

यह मॉडल (आकृति देखें) माध्यम यथार्थता वर्ग (यथार्थता वर्ग III) का अंकक सूचन सहित टेबल टॉप प्रकार का तोलन अस्वचालित उपकरण है जिसकी अधिकतम क्षमता 10 कि. ग्रा. और न्यूनतम क्षमता 100 ग्राम है। सत्यापन मापमान (ई) का मान 5 ग्राम है। प्रदर्श इकाई प्रकाश उत्सर्जक डायोड की है। उपकरण 230 वोल्ट और 50 हर्टज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है;



और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि मॉडल के इस अनुमोदन प्रमाणपत्र के अन्तर्गत, उसी शृंखला के उसी मेक, उसी यथार्थता और कार्यपालन वाले ऐसे तोलन उपकरण भी होंगे, जिनकी अधिकतम क्षमता 50 कि. ग्रा. तक है और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमोदित मॉडल का विनिर्माण किया गया है, और जिनके सत्यापन मापमान अंतराल (एन) की संख्या 100 मि. ग्रा. से 2 ग्राम "ई" मान के लिए 100 से 10,000 की श्रेणी में और सत्यापन मापमान अंतराल (एन) की संख्या 5 ग्राम या अधिक के "ई" मान के लिए 500 से 10,000 की श्रेणी में तथा जिनका "ई" मान 1×10^0 , 2×10^0 और 5×10^0 है जिसमें के धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

[फा सं डब्ल्यू. एम-21(123)/99]

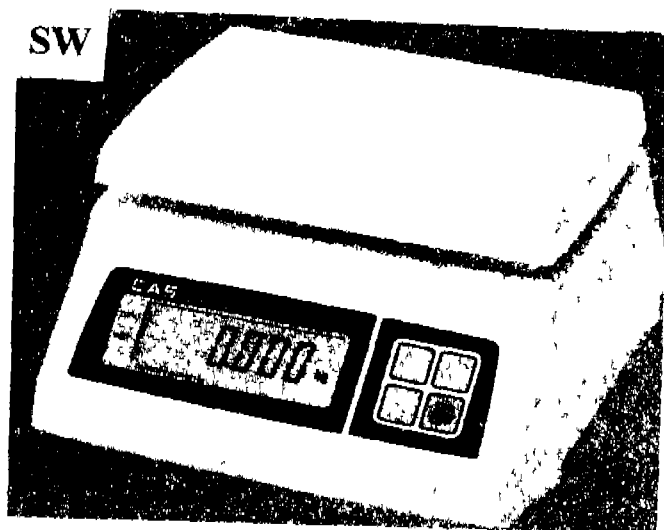
पी. ए. कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 14th March, 2001

S.O. .—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the Model of non-automatic weighing instrument (Table top) with digital indication (hereinafter referred to as the model) belonging to Medium accuracy class (Accuracy Class III) and of SW-1 series with brand name 'CAS', manufactured by M/s. CAS Weighing India Pvt. Ltd., 568, Udyog Vihar, Phase V, Gurgaon-122 016, Haryana and which is assigned the approval mark IND/09/00/288;

The said model (see the figure given below) is a non-automatic Instrument of table top type with digital indication of maximum capacity is 10 kg. minimum capacity is 100 g. and belonging to Medium accuracy class (Accuracy Class III). The value of verification scale interval (e) is 5 g. The display unit is of light emitting diode type. The instrument operates on 230 Volts and 50-Hertz alternate current power supply;



Further, in exercise of the powers conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with having maximum capacity upto 50 kg. and with maximum number of verification scale interval (n) in the range 100 to 10,000 for 'e' value of 100 mg to 2g and with number of verification scale interval (n) in the range 500 to 10,000 for 'e' value of 5g or more and with 'e' value 1×10^k , 2×10^k , 5×10^k , where k is a positive or negative whole number or zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved model has been manufactured.

[F No. W M.-21(123)/99]

P A KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 14 मार्च, 2001

का. आ. 603.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त मॉडल, अपनी यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम, की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स सी ए एस वेईंग इंडिया प्रा. लि. 568, उद्योग विहार, फेज-5, गुडगांव-122016 हरियाणा द्वारा विनिर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग III) वाले "ए पी-1" शृंखला के अस्वचालित अंकक सूचन सहित उपकरण (टेबल टॉप प्रकार के) के मॉडल का जिसके ब्रांड का नाम "सी ए एस" (जिसे इसके पश्चात् मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2000/289 दिया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है;

यह मॉडल (आकृति देखें) मध्यम यथार्थता वर्ग (यथार्थता वर्ग III) का अंकक सूचन सहित टेबल टॉप प्रकार का अस्वचालित तोलन उपकरण है जिसकी अधिकतम क्षमता 15 कि. ग्रा. और न्यूनतम क्षमता 40 ग्राम है। सत्यापन मापमान (ई) का मान 2 ग्राम/5 ग्राम है। प्रदर्श इकाई प्रकाश उत्सर्जक डायोड की है। उपकरण 230 वोल्ट और 50 हर्टज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है;



और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि मॉडल के इस अनुमोदन प्रमाणपत्र के अन्तर्गत, उसी शृंखला के उसी मेक, उसी यथार्थता और कार्यपालम वाले ऐसे तोलन उपकरण भी होंगे, जिनकी अधिकतम क्षमता 50 कि. ग्रा. तक है और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमोदित मॉडल का विनिर्माण किया गया है, और जिनके सत्यापन मापमान अन्तराल (एन) की संख्या 100 मि. ग्रा. से 2 ग्राम "ई" मान के लिए 100 से 10,000 की श्रेणी में और सत्यापन मापमान अन्तराल (एन) की संख्या 5 ग्राम या अधिक के "ई" मान के लिए 500 से 10,000 की श्रेणी में तथा जिनका "ई" मान 1×10^{-6} , 2×10^{-6} और 5×10^{-6} है जिसमें के घनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

[फा. सं. डब्ल्यू. एम.-21(123)/99]

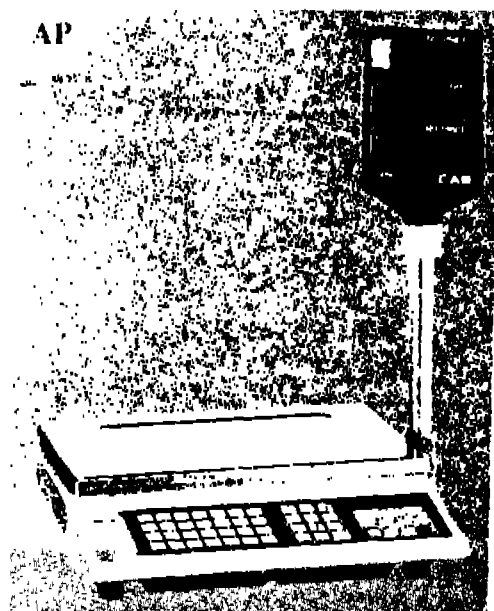
पी. ए. कुष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 14th March, 2001

S.O. 603.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the Model of non-automatic, weighing instrument (Table top) with digital indication (hereinafter referred to as the model) belonging to Medium accuracy class (Accuracy Class III) and of AP-1 series with brand name 'CAS', manufactured by M/s. CAS Weighing India Pvt. Ltd., 568, Udyog Vihar, Phase V, Gurgaon-122 016, Haryana and which is assigned the approval mark IND/09/00/289;

The said Model (see the figure given below) is a Non-automatic weighing instrument of table top type with digital indication of maximum capacity is 15 kg. minimum capacity is 40 g. and belonging to Medium accuracy class (Accuracy Class III). The value of verification scale interval (e) is 2 g./5g. The display unit is of light emitting diode. The instrument operates on 230 Volts and 50-Hertz alternate current power supply;



Further, in exercise of the powers conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity upto 50 kg. and with maximum number of verification scale interval (n) in the range 100 to 10,000 for 'e' value of 100 mg to 2g had with number of verification scale interval (n) in the range 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k , 5×10^k , where k is a positive or negative whole number or zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved Model has been manufactured.

[F. No. W.M.-21(123)/99]

P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 14 मार्च, 2001

का. आ. 604.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त मॉडल अपनी यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा,

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम, की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स सी ए एस वेईंग इंडिया प्रा लि. 568, उद्योग विहार, फेज-5, गुडगाव-122016 हरियाणा द्वारा विनिर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग III) वाले "एडी-1" श्रृंखला के अस्वचालित अंकक सूचन सहित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का जिसके ब्रांड का नाम "सीए एम" (जिसे इसके पश्चात् मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2000/290 दिया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है;

यह मॉडल (आकृति देखें) माध्यम यथार्थता वर्ग (यथार्थता वर्ग III) का अंकक सूचन सहित टेबल टॉप प्रकार का अस्वचालित तोलन उपकरण है जिसकी अधिकतम क्षमता 30 कि. ग्रा. और न्यूनतम क्षमता 100 ग्राम है और सत्यापन मापमान (ई) का मान 5 ग्राम/10 ग्राम है। प्रदर्श इकाई प्रकाश उत्सर्जक डायोड की है। उपकरण 230 वोल्ट और 50 हर्टज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है,

AD.



और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि मॉडल के इस अनुमोदन प्रमाणपत्र के अन्तर्गत, उसी श्रृंखला के उसी मेक, उसी यथार्थता और कार्यपालन वाले ऐसे तोलन उपकरण भी होंगे, जिनकी अधिकतम क्षमता 50 कि. ग्रा. तक है और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमोदित मॉडल का विनिर्माण किया गया है, और जिनके सत्यापन मापमान अन्तराल (एन) की संख्या 100 मि. ग्रा. से 2 ग्राम "ई" मान के लिए 100 से 10,000 की श्रेणी में और सत्यापन मापमान अन्तराल (एन) की संख्या 5 ग्राम या अधिक के "ई" मान के लिए 500 से 10,000 की श्रेणी में तथा जिनका "ई" मान $1 \times 10^*$, $2 \times 10^*$ और $5 \times 10^*$ है जिसमें के घनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

[फा स. डब्ल्यू. एम.-21(123)/99]

पी ए कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 14th March, 2001

S.O. 604.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the Model of non-automatic weighing instrument (table top type) with digital indication (hereinafter referred to as the model) belonging to Medium accuracy class (Accuracy Class III) and of AD-1 series with brand name 'CAS', manufactured by M/s. CAS Weighing India Pvt. Ltd., 568, Udyog Vihar, Phase V, Gurgaon-122 016, Haryana and which is assigned the approval mark IND/09/00/290;

The said model (see the figure given below) is a non-automatic weighing instrument of table top type with digital indication of maximum capacity is 30 kg., minimum capacity 100 g. and belonging to Medium accuracy class (Accuracy Class III). The value of verification scale interval (e) is 5g./10g. The display unit is of light emitting diode. The instrument operates on 230 Volts and 50-Hertz alternate current power supply.

AD



Further, in exercise of the power conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50 kg. and with maximum number of verification scale interval (n) in the range 100 to 10,000 for 'e' value 100 mg. to 2g. and with number of verification scale interval (n) in the range 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of $1 \times 10k$, $2 \times 10k$, or $5 \times 10k$, where k is a positive or negative whole number or zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials which the approved model has been manufactured.

[F. No. W.M.-21(123)/99]

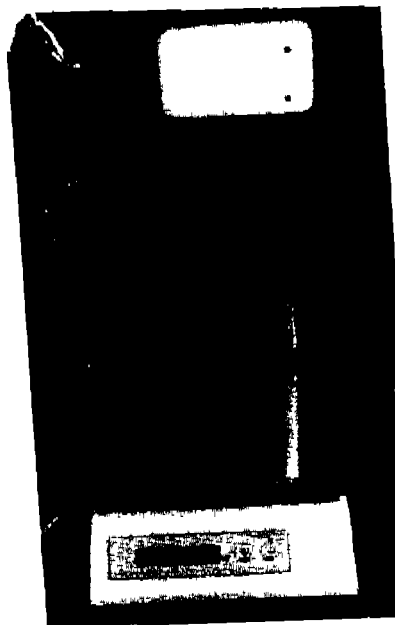
P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 14 मार्च, 2001

का. आ. 605.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम, की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स इलैक्ट्रोईक्विपमेंट्स, 30/37 बी, प्रथम तल, आदर्श नगर, ग्रीनवेज विद्यालय से पूर्व, रुडकी-247667 द्वारा विनिर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग III) वाले "ई ई टी" श्रृंखला के अंकय सूचन सहित अस्वचालित उपकरण (टेबल टॉप प्रकार) के मॉडल का (जिसे इसमें इसके पश्चात् मॉडल कहा गया है) का, जिसके ब्रांड का नाम "लक्ष्मी" है और जिसे अनुमोदन चिह्न आई एन डी/09/2000/250 समनुद्दिष्ट किया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है;

यह मॉडल मध्यम यथार्थता वर्ग (यथार्थ वर्ग III) का अंकय सूचन सहित टेबल टॉप प्रकार का अस्वचालित तोलन उपकरण है और जिसकी अधिकतम क्षमता 15 कि. ग्रा. और न्यूनतम क्षमता 100 ग्राम है। सत्यापन मापमान (ई) का मान 5 ग्राम है। प्रदर्श इकाई प्रकाश उत्सर्जक डायोड की है। उपकरण 230 वोल्ट और 50 हर्टज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है;



और, केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि मॉडल के इस अनुमोदन प्रमाणपत्र के अन्तर्गत, उसी श्रृंखला के उसी मेक, उसी यथार्थता और कार्यपालन वाले ऐसे तोलन उपकरण भी होंगे, जिनकी अधिकतम क्षमता 50 कि. ग्रा. तक है और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमोदित मॉडल का विनिर्माण किया गया है, और जिनके सत्यापन मापमान अन्तराल (एन) की संख्या 100 मि. ग्रा. से 2 ग्राम "ई" मान के लिए 100 से 10,000 की रेंज में और सत्यापन मापमान अन्तराल (एन) की संख्या 5 ग्राम या अधिक के "ई" मान के लिए 500 से 1,000 की रेंज में है तथा जिनका "ई" मान 1×10^{-6} , 2×10^{-6} और 5×10^{-6} है जिसमें के घनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

[फा. सं. डब्ल्यू. एम.-21(26)/99]

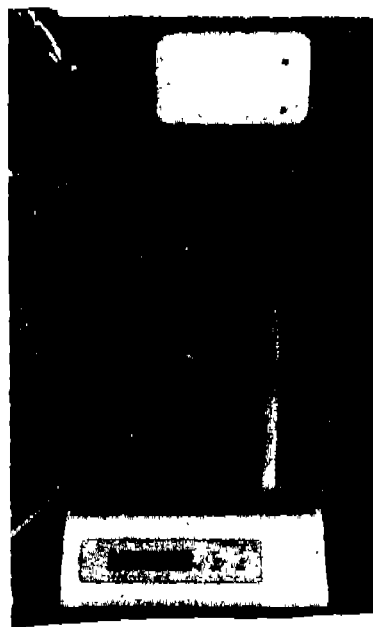
पी. ए. कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 14th March, 2001

S.O. 605.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the Model of non-automatic, weighing instrument (Table top type) with digital indication (hereinafter referred to as the model) of 'FET' series belonging to Medium accuracy class (Accuracy Class III) and with brand name 'LAKSHMI', manufactured by M/s. Electro Equipments 30/37 B, 1st Floor, Adarshnagar, Before Greenways School, Roorki-247 667 and which is assigned the approval mark IND/09/00/250;

The model is a non-automatic weighing instrument of table top type with digital indication of maximum capacity is 15 kg. minimum capacity is 100 g and belonging to Medium accuracy class (Accuracy Class III). The value of verification scale interval (e) is 5 g. The display unit is of light emitting diode. The instrument operates on 230 V, 50 Hertz alternate current power supply.



Further, in exercise of the powers conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity upto 50 kg and with number of verification scale interval (n) in the range 100 to 10,000 for 'e' value of 100 mg, to 2g and with number of verification scale interval (n) in the range 500 to 10,000 for 'e' value of 5g or more and with 'e' value to 1×10^k , 2×10^k and 5×10^k , k being a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials which, the approved model has been manufactured.

[F. No. W.M.-21(26)/99]

P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 16 मार्च, 2001

का. आ. 606.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त मॉडल अपनी यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम, की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स वाइटल, 2001, फेज 4, जी आई डी सी, विटल उद्योग नगर, आनन्द-388121, गुजरात द्वारा विनिर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग III) वाले अस्वचालित अंकक सूचन सहित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का है, जिसके ब्रांड का नाम "विटल" है (जिसे इसमें इसके पश्चात् मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2000/281 समनुदेशित किया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

यह मॉडल (आकृति देखें) मध्यम यथार्थता वर्ग (यथार्थ वर्ग III) का अंकक सूचन सहित टेबल टॉप प्रकार का अस्वचालित तोलन उपकरण है और जिसकी अधिकतम क्षमता 10 कि. ग्रा. और न्यूनतम क्षमता 40 ग्राम है। सत्यापन मापमान (ई) का मान 2 ग्राम है। प्रदर्श इकाई प्रकाश उत्सर्जक डायोड की है। उपकरण 230 वोल्ट और 50 हर्टज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि मॉडल के इस अनुमोदन प्रमाणपत्र के अन्तर्गत, उसी श्रृंखला के उसी मेक, उसी यथार्थता और कार्यपालन वाले ऐसे तोलन उपकरण भी होंगे, जिनकी अधिकतम क्षमता 50 कि. ग्रा. तक है और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमोदित मॉडल का विनिर्माण किया गया है और जिनके सत्यापन मापमान अंतराल (एन) की संख्या 100 मि. ग्रा. से 2 ग्राम "ई" मान के लिए 100 से 10,000 की रेंज में और सत्यापन मापमान अंतराल (एन) की संख्या 5 ग्राम या अधिक के "ई" मान के लिए 500 से 1,000 की रेंज में है तथा जिनका "ई" मान $1 \times 10^*$, $2 \times 10^*$ और $5 \times 10^*$ है जिसमें के घनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

[फा. सं. डब्ल्यू. एम.-21(30)/99]

पी. ए. कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th March, 2001

S.O. 606.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) and (8) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the Model of non-automatic, weighing instrument (Table top type) with digital indication (hereinafter referred to as the model) belonging to Medium accuracy class (Accuracy Class III) and with brand name 'VITAL' manufactured by M/s Vital, 2001, Phase 4, G.I.D.C., Vithal Udyognagar, Anand-388 121, Gujarat and which is assigned the approval mark IND/09/00/281;

The said model (see the figure given below) is a non-automatic weighing instrument of table top type with digital indication of maximum capacity 10 kg., minimum capacity 40 g. and belonging to medium accuracy class (Accuracy Class III). The value of verification scale interval (e) is 2g. The display unit is of light emitting diode. The instrument operates on 230 volts and 50 Hertz alternate current power supply.



Further, in exercise of the powers conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity upto 50 kg. and with maximum number of verification scale interval (n) in the range 100 to 10,000 for 'e' value of 100 mg. to 2g. and with number of verification scale interval (n) in the range 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials which the approved model has been manufactured.

[F. No. W.M.-21(38)/99]

P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 16 मार्च, 2001

का. आ. 607.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स वाइटल, 2001, फेज 4, जी आई डी सी, विट्ठल उद्योग नगर, आनन्द-388121, गुजरात द्वारा विनिर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग III) वाले अस्वचालित अंकक सूचन सहित तोलन उपकरण ' (कनवर्जन किट वेब्रिज प्रकार) (टेबल टॉप प्रकार) के मॉडल का जिसके ब्रांड का नाम "विटल" है (जिसे इसमें इसके पश्चात् मॉडल कहा गया है) और जिसे अनुमोदन विह्व आई एन डी/09/2000/283 समनुदेशित किया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

यह मॉडल (आकृति देखें) माध्यम यथार्थता वर्ग (यथार्थता वर्ग III) का अंकक सूचन सहित वेब्रिज कनवर्जन किट प्रकार का अस्वचालित तोलन उपकरण है और जिसकी अधिकतम क्षमता 20 टन और न्यूनतम क्षमता 100 किलोग्राम है। सत्यापन मापमान (ई) का मान 5 कि. ग्राम है। प्रदर्श इकाई प्रकाश उत्सर्जक डायोड की है। उपकरण 230 वोल्ट और 50 हर्टज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि मॉडल के इस अनुमोदन प्रमाणपत्र के अन्तर्गत, उसी श्रृंखला के उसी मेक, उसी यथार्थता और कार्यपालन वाले ऐसे तोलन उपकरण भी होंगे, जिनकी अधिकतम क्षमता 5 टन से अधिक है और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमोदित मॉडल का विनिर्माण किया गया है, और जिनके सत्यापन मापमान अंतराल (एन) की संख्या 5 ग्राम या अधिक "ई" मान के लिए 500 से 10,000 की श्रेणी में तथा जिनका "ई" मान $1 \times 10^*$, $2 \times 10^*$ और $5 \times 10^*$ है जिसमें के धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

[फा. सं. डब्ल्यू. एम.-21(38)/99]

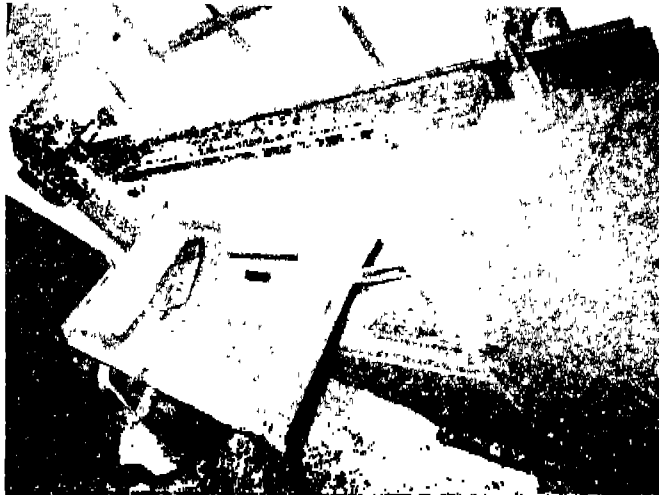
पी. ए. कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th March, 2001

S.O. 607.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) and (8) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of Model of non-automatic, weighing instrument (weighbridge conversion-kit type) with digital indication (hereinafter referred to as the model) belonging to Medium accuracy class (Accuracy Class III) and with brand name 'VITAL' manufactured by M/s Vital, 2001, Phase 4, G.I.D.C., Vitthal Udyognagar, Anand-388 121, Gujarat and which is assigned the approval mark IND/09/00/283,

The said model (see the figure given below) is a non-automatic weighing instrument of weighbridge conversion kit type with digital indication of maximum capacity 20 tonne, minimum capacity 100 kg. and belonging to Medium accuracy class (Accuracy Class III). The value of verification scale interval (e) is 5 kg. The display unit is of light emitting diode. The instrument operates on 230 volts and 50 Hertz alternate current power supply.



Further, in exercise of the powers conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity above 5 tonne and with number of verification scale interval (n) in the range 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials which the approved model has been manufactured.

[F. No. W.M.-21(38)/99]

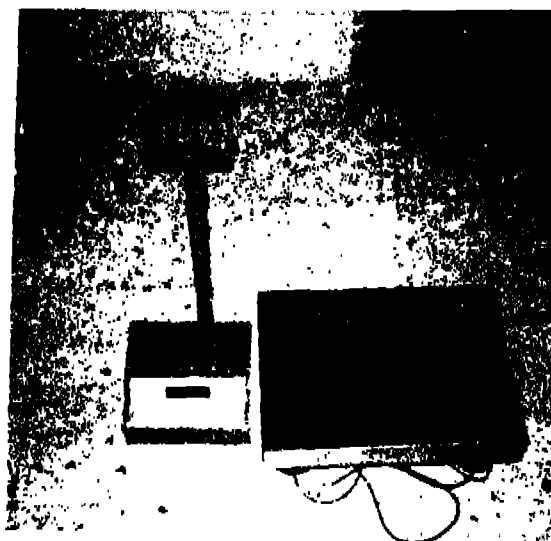
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 16 मार्च, 2001

का. आ. 608.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त मॉडल अपनी यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स वाइटल, 2001, फेज 4, जी आई डी सी, विट्ठल उद्योग नगर, आनन्द-388121, गुजरात द्वारा विनिर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग III) वाले अस्वीकृत अंकक सूचन सहित तोलन उपकरण (टेबल टॉप प्रकार के) के मॉडल का जिसके ब्रांड का नाम "विटल" है (जिसे इसमें इसके पश्चात् मॉडल कहा गया है) और जिसे अनुमोदन बिहू आई एन डी/09/2000/282 समनुदेशित किया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है;

यह मॉडल (आकृति देखें) माध्यम यथार्थता वर्ग (यथार्थता वर्ग III) का अंकक सूचन सहित (प्लेटफार्म प्रकार का) अस्वीकृत तोलन उपकरण है और जिसकी अधिकतम क्षमता 30 कि. ग्रा. और न्यूनतम क्षमता 200 ग्राम है। सत्यापन मापमान (ई) का मान 10 ग्राम है। प्रदर्श इकाई प्रकाश उत्सर्जक डायोड की है। उपकरण 230 वोल्ट और 50 हर्टज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है;



और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि मॉडल के इस अनुमोदन प्रमाणपत्र के अन्तर्गत, उसी श्रृंखला के उसी मेक, उसी यथार्थता और कार्यपालन वाले ऐसे तोलन उपकरण भी होंगे, जिनकी अधिकतम क्षमता 5 टन तक है और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमोदित मॉडल का विनिर्माण किया गया है, और जिनके सत्यापन मापमान अंतराल (एन) की संख्या 5 ग्राम या अधिक "ई" मान के लिए 500 से 10,000 की श्रेणी में तथा जिनका "ई" मान 1×10^{-6} , 2×10^{-6} और 5×10^{-6} है जिसमें के घनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

[फा. सं. डब्ल्यू. एम.-21(38)/99]

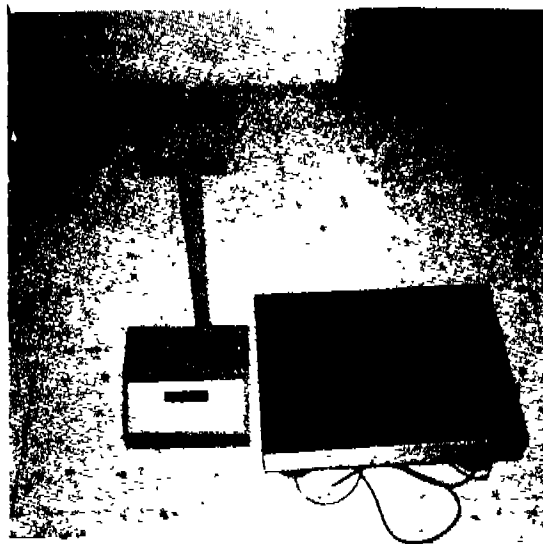
पी. ए. कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th March, 2001

S.O. 608.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the Model of non-automatic, weighing instrument (Platform type) with digital indication (hereinafter referred to as the model) belonging to Medium accuracy class (Accuracy Class III) and with brand name 'VITAL' manufactured by M/s Vittal, 2001, Phase 4, G.I.D.C., Vitthal Udyognagar, Anand 388 121, Gujarat and which is assigned the approval mark IND/09/2000/282;

The said model (see the figure given below) is a non-automatic weighing Instrument of platform type with digital indication of maximum capacity is 30kg. minimum capacity is 200 g. and belonging to Medium accuracy class (Accuracy Class III). The value of verification scale interval (e) is 10 g. The display unit is of light emitting diode. The instrument operates on 230 volts and 50-Hertz alternate current power supply;



Further, in exercise of the powers conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 5 tonne and with number of verification scale interval (n) in the range 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k , 5×10^k , where k is a positive or negative whole number or zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials which, the approved model has been manufactured.

[F. No. W.M.-21(38)/99]

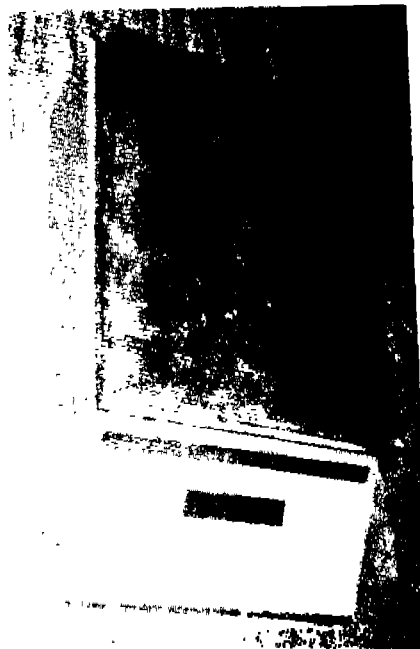
P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 16 मार्च, 2001

का. आ. 609.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त मॉडल अपनी यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम, की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स वाइटल, 2001, फेज 4, जी आई डी सी, विट्ठल उद्योग नगर, आनन्द-388121, गुजरात द्वारा विनिर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग III) वाले अस्वचालित अंकक सूचन सहित तोलन उपकरण "वेब्रिज" के मॉडल का जिसके ब्रांड का नाम "विटल" है (जिसे इसमें इसके पश्चात् मॉडल कहा गया है) और जिसे अनुमोदन विद्वद् आई एन डी/09/2000/284 समनुदेशित किया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है;

यह मॉडल (आकृति देखें) माध्यम यथार्थता वर्ग (यथार्थता वर्ग III) का अंकक सूचन सहित वेब्रिज कनवर्जन किट प्रकार का अस्वचालित तोलन उपकरण है और जिसकी अधिकतम क्षमता 30 टन और न्यूनतम क्षमता 100 किलोग्राम है। सत्यापन मापमान (ई) का मान 5 कि. ग्राम है। प्रदर्श इकाई प्रकाश उत्सर्जक डायोड की है। उपकरण 230 वोल्ट और 50 हर्टज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है;



और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि मॉडल के इस अनुमोदन प्रमाणपत्र के अन्तर्गत, उसी शृंखला के उसी मेक, उसी यथार्थता और कार्यपालन वाले ऐसे तोलन उपकरण भी होंगे, जिनकी अधिकतम क्षमता 5 टन तक है और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमोदित मॉडल का विनिर्माण किया गया है, और जिनके सत्यापन मापमान अंतराल (एन) की संख्या 5 ग्राम या अधिक "ई" मान के लिए 500 से 10,000 की श्रेणी में तथा जिनका "ई" मान 1×10^6 , 2×10^6 और 5×10^6 है जिसमें के धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

[फा. सं. डब्ल्यू. एम.-21(38)/99]

पी. ए. कृष्णमूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th March, 2001

S.O. 609.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the Model of non-automatic, weighing instrument (weighbridge) with digital indication (hereinafter referred to as the model) belonging to medium accuracy class (Accuracy Class III) and with brand name 'VITAL' manufactured by M/s Vital, 2001, Phase 4, G.I.D.C., Vitthal Udyognagar, Anand 388 121, Gujarat and which is assigned the approval mark IND/09/2000/284;

The said model (see the figure given below) is a non-automatic weighing Instrument of weighbridge type with digital indication of maximum capacity is 30 tonne, minimum capacity is 100 kg. and belonging to medium accuracy class (Accuracy Class III). The value of verification scale interval (e) is 5 kg. The display unit is of light emitting diode. The instrument operates on 230 volts and 50 Hertz alternate current power supply;



Further, in exercise of the powers conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 5 tonne and with number of verification scale interval (n) in the range 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k , 5×10^k , where k is a positive or negative whole number or zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved model has been manufactured.

[F. No. W.M.-21(38)/99]

P. A. KRISHNAMOORTHY, Director, Legal Metrology

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 16 मार्च, 2001

का. आ 610.— केन्द्रीय सरकार को ऐसा प्रतीत होता है कि लोकहित में यह आवश्यक है कि राजस्थान राज्य में काण्डला-जामनगर-लोनी पाइपलाइन परियोजना के माध्यम से द्रव पेट्रोलियम गैस के परिवहन के लिए, गैस अथॉरिटी ऑफ इंडिया लिमिटेड द्वारा पाइपलाइन बिछाई जानी चाहिए;

और केन्द्रीय सरकार को यह प्रतीत होता है कि उक्त पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक है कि इस अधिसूचना से आलेख अनुसूची में वर्णित भूमि जिस में उक्त पाइपलाइन बिछाए जाने का प्रस्ताव है में उपयोग के अधिकार का अर्जन करना आवश्यक है;

अतः, अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उसमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

उक्त अनुसूची में वर्णित भूमि में हितबद्ध कोई व्यक्ति, राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दिये जाने की तारीख से 21 (इक्कीस) दिनों के भीतर, उसमें उपयोग के अधिकार का अर्जन या भूमि में पाइपलाइन बिछाने के संबंध में आक्षेप लिखित रूप से सक्षम प्राधिकारी, गैस अथॉरिटी ऑफ इंडिया लिमिटेड, डी-143/बी, कौशल्या मार्ग, बसन्त मार्ग, बनी पार्क, जयपुर, राजस्थान को कर सकेगा।

अनुसूची

जिला	तहसील	ग्राम	खसरा नं.	का.आ.उ. के लिए अर्जित की जाने वाली भूमि हेक्टेयर में
क	ख	ग	घ	ङ
जयपुर	आमेर	बिलौची	404	0.0080
			407/1760	0.0220
			योग	0.0300
		बीलपुर बिलिया	548	0.0020
			567/912	0.0120
			550	0.0240
			567	0.0880
			565	0.1780
			563	0.0600
			555/963	0.0480
			376/959	0.0180
			376/961	0.0160
			377/958	0.0480
			377/962	0.0240
			योग	0.5180
		सुन्दर का बास	637/697	0.0400
			योग	0.0400

[सं० एल-14014/3/2000-जी.पी. (पार्ट-[I])]

आई.एस.एन. प्रसाद, निदेशक (प्रा. गैस)

MINISTRY OF PETROLEUM AND NATURAL GAS

New Delhi, the 16th March, 2001

S.O. 610.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Liquid Petroleum Gas Through Kandla-Jamnagar-Loni Pipeline Project in Rajasthan State, a pipeline should be laid by the Gas Authority of India Limited;

And whereas, it appears to the Central Government that for the purpose of laying the said Pipeline, it is necessary to acquire the right of user in the land under which the said Pipeline is proposed to be laid, and which is described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person, interested in the land described in the said Schedule may, within twenty one days from the date on which the copies of this notification, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the right of user therein or laying of the pipeline under the land to the Competent Authority, Gas Authority of India Limited, D-143/B, Koshalya Marg, Basant Marg, Bani Park, Jaipur (Rajasthan).

SCHEDULE

Distt.	Tehsil	Village	Survey No.	Land to be acquired for R.O.U. (in Hectares)
A	B	C	D	E
Jaipur	Amer	Bilochi	404	0.0080
			407/1760	0.0220
			Total	0.0300
		Bilpur Billa	548	0.0020
			567/912	0.0120
			550	0.0240
			567	0.0880
			565	0.1780
			563	0.0600
			555/963	0.0480
			376/959	0.0180
			376/961	0.0160
			377/958	0.0480
			377/962	0.0240
			Total	0.5180
		Sunder ka bas	637/697	0.0400
			Total	0.0400

[No. L-14014/3/2000-G.P. (Part-II)]

I.S.N. PRASAD, Director (NG)

नई दिल्ली, 16 मार्च, 2001

का. आ 611.— केन्द्रीय सरकार को ऐसा प्रतीत होता है कि लोकहित में यह आवश्यक है कि राजस्थान राज्य में काण्डला-जामनगर-लोनी पाइपलाइन परियोजना के माध्यम से द्रव पेट्रोलियम गैस के परिवहन के लिए, गैस अथॉरिटी ऑफ इंडिया लिमिटेड द्वारा पाइपलाइन बिछाई जानी चाहिए;

और केन्द्रीय सरकार को यह प्रतीत होता है कि उक्त पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक है कि इस अधिसूचना से आलेख अनुसूची में वर्णित भूमि जिसमें उक्त पाइपलाइन बिछाए जाने का प्रस्ताव है में उपयोग के अधिकार का अर्जन करना आवश्यक है;

अतः, अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उसमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

उक्त अनुसूची में वर्णित भूमि में हितबद्ध कोई व्यक्ति, राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दिये जाने की तारीख से 21 (इक्कीस) दिनों के भीतर, उसमें उपयोग के अधिकार का अर्जन या भूमि में पाइपलाइन बिछाने के संबंध में आक्षेप लिखित रूप से सक्षम प्राधिकारी, गैस अथॉरिटी ऑफ इंडिया लिमिटेड, डी-143/बी, कौशल्या मार्ग, बसन्त मार्ग, बनी पार्क, जयपुर, राजस्थान को कर सकेगा।

अनुसूची

जिला	तहसील	ग्राम	खसरा नं.	का.आ.उ. के लिए अर्जित की जाने वाली भूमि हेक्टेयर में
क	ख	ग	घ	ङ
जयपुर	विराटनगर	ढाणी जोगियाम	874/1950	0.0040
योग				0.0040

[सं० एल-14014/3/2000-जी.पी. (पार्ट-II)]

आई.एस.एन. प्रसाद, निदेशक (प्रा. गैस)

New Delhi, the 16th March. 2001

S.O. 611.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Liquid Petroleum Gas Through Kandla-Jamnagar-Loni Pipeline Project in Rajasthan State, a pipeline should be laid by the Gas Authority of India Limited;

And whereas, it appears to the Central Government that for the purpose of laying the said Pipeline, it is necessary to acquire the right of user in the land under which the said Pipeline is proposed to be laid, and which is described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by Sub-Section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person, interested in the land described in the said Schedule may, within twenty one days from the date on which the copies of this notification, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the right of user therein or laying of the pipeline under the land to the Competent Authority, Gas Authority of India Limited, D-143/B, Koshalya Marg, Basant Marg, Bani Park, Jaipur (Rajasthan).

SCHEDULE

Distt.	Tehsil	Village	Survey No.	Land to be acquired for R.O.U. (in Hectares)
A	B	C	D	E
Jaipur	Viratnagar	Dhani Jogiyan	874/1950	0.0040
Total				0.0040

[No. L-14014/3/2000-G.P. (Part-II)]

I.S.N. PRASAD, Director (NG)

नई दिल्ली, 16 मार्च, 2001

का. आ 612 .— केन्द्रीय सरकार को ऐसा प्रतीत होता है कि लोकहित में यह आवश्यक है कि राजस्थान राज्य में काण्डला-जामनगर-लोनी पाइपलाइन परियोजना के माध्यम से द्रव पेट्रोलियम गैस के परिवहन के लिए, गैस अथॉरिटी ऑफ इंडिया लिमिटेड द्वारा पाइपलाइन बिछाई जानी चाहिए;

और केन्द्रीय सरकार को यह प्रतीत होता है कि उक्त पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक है कि इस अधिसूचना से आलेख अनुसूची में वर्णित भूमि जिसमें उक्त पाइपलाइन बिछाए जाने का प्रस्ताव है में उपयोग के अधिकार का अर्जन करना आवश्यक है;

अतः, अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उसमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

उक्त अनुसूची में वर्णित भूमि में हितबद्ध कोई व्यक्ति, राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दिये जाने की तारीख से 21 (इक्कीस) दिनों के भीतर, उसमें उपयोग के अधिकार का अर्जन या भूमि में पाइपलाइन बिछाने के संबंध में आक्षेप लिखित रूप से सक्षम प्राधिकारी, गैस अथॉरिटी ऑफ इंडिया लिमिटेड, डी-143/बी, कौशल्या मार्ग, बसन्त मार्ग, बनी पार्क, जयपुर, राजस्थान को कर सकेगा।

अनुसूची

जिला	तहसील	ग्राम	खसरा नं.	का.आ.उ. के लिए अर्जित की जाने वाली भूमि हेक्टेयर में
क	ख	ग	घ	ङ
जयपुर	शाहपुरा	लोचू का बास	3651	0.0080
			योग	0.0080
			652	0.0100
			653	0.0080
			654	0.0080
			655	0.0040
			356	0.0080
			315	0.0060
		नवलपुरा	योग	0.0440
			492	0.1080
			योग	0.1080
		देवन		

[सं० एल-14014/3/2000-जी.पी. (पार्ट-II)]

आई. एस. एन. प्रसाद, निदेशक (प्रा. गैस)

New Delhi, the 16th March, 2001

S.O. 612.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Liquid Petroleum Gas Through Kandla-Jamnagar-Loni Pipeline Project in Rajasthan State, a pipeline should be laid by the Gas Authority of India Limited;

And whereas, it appears to the Central Government that for the purpose of laying the said Pipeline, it is necessary to acquire the right of user in the land under which the said Pipeline is proposed to be laid, and which is described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person, interested in the land described in the said Schedule may, within twenty one days from the date on which the copies of this notification, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the right of user therein or laying of the pipeline under the land to the Competent Authority, Gas Authority of India Limited, D-143/B, Koshalya Marg, Basant Marg, Bani Park, Jaipur (Rajasthan).

SCHEDULE

Distt.	Tehsil	Village	Survey No.	Land to be acquired for R.O.U. (in Hectares)
A	B	C	D	E
Jaipur	Shahpura	Lochu ka was	3651	0.0080
			Total	0.0080
		Nawalpura	652	0.0100
			653	0.0080
			654	0.0080
			655	0.0040
			356	0.0080
			315	0.0060
			Total	0.0440
		Dewan	492	0.1080
			Total	0.1080

[No. L-14014/3/2000-G.P. (Part-II)]

I.S.N. PRASAD, Director (NG)

नई दिल्ली, 16 मार्च, 2001

का. आ 613.— केन्द्रीय सरकार को ऐसा प्रतीत होता है कि लोकहित में यह आवश्यक है कि राजस्थान राज्य में काण्डला-जामनगर-लोनी पाइपलाइन परियोजना के माध्यम से द्रव पेट्रोलियम गैस के परिवहन के लिए, गैस अथॉरिटी ऑफ इंडिया लिमिटेड द्वारा पाइपलाइन बिछाई जानी चाहिए;

और केन्द्रीय सरकार को यह प्रतीत होता है कि उक्त पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक है कि इस अधिसूचना से आलेख अनुसूची में वर्णित भूमि जिस में उक्त पाइपलाइन बिछाए जाने का प्रस्ताव है में उपयोग के अधिकार का अर्जन करना आवश्यक है;

अतः, अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उसमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

उक्त अनुसूची में वर्णित भूमि में हितबद्ध कोई व्यक्ति, राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दिये जाने की तारीख से 21 (इक्कीस) दिनों के भीतर, उसमें उपयोग के अधिकार का अर्जन या भूमि में पाइपलाइन बिछाने के संबंध में आक्षेप लिखित रूप से सक्षम प्राधिकारी, गैस अथॉरिटी ऑफ इंडिया लिमिटेड, डी-143/बी, कौशल्या मार्ग, बसन्त मार्ग, बनी पार्क, जयपुर, राजस्थान को कर सकेगा।

अनुसूची

जिला	तहसील	ग्राम	खसरा नं.	का.आ.उ. के लिए अर्जित की जाने वाली भूमि हेक्टेयर में
क	ख	ग	घ	ङ
जयपुर	दुदु	खटवाड	708	0 0079
			698	0 0396
			415/1259	0.0158
			414	0.0316
			453	0.0316
		गंगाली कलां	योग	0 1265
			965	0.0079
			योग	0.0079
		मानपुरा	18	0.0792
			16	0 0158
			55	0.0316
			योग	0.1266
		महेशपुरा	329	0.0237
			77	0.0310
			25	0 0633
			योग	0.1186
		चक महेशपुरा	20	0 0238
			22	0.0158
			23	0 0712
			10	0 4393
			11	0 1505
			6	0 0030
			5	0.3327
			4	0 2376
			1/3	0 1584
			3/2	0.2218
			3/1/2	0.0990
			3/3	0 1080
			3/1/1	0.3643
			योग	2.2254
		रहलाना	1282	0.0079
			1854/4	0.1419
			योग	0.1498

क	ख	ग	घ	ङ
		हरसौली	981	0.0792
			योग	0.0792
		गुढा सावपुरा	207	0.0871
			201/455	0.0040
			201/467	0.1108
			योग	0.2017

[सं० एल 14014/3/2000-जी.पी (पार्ट II)]

आई. एस. एन पम्पाद, निदेशक (प्र. गैस),

New Delhi, the 16th March 2001

S.O. 613 – Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Liquid Petroleum Gas Through Kandla-Jamnagar-Loni Pipeline Project in Rajasthan State, a pipeline should be laid by the Gas Authority of India Limited,

And whereas, it appears to the Central Government that for the purpose of laying the said Pipeline, it is necessary to acquire the right of user in the land under which the said Pipeline is proposed to be laid, and which is described in the Schedule annexed to this notification,

Now therefore, in exercise of the powers conferred by Sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

Any person, interested in the land described in the said Schedule may, within twenty one days from the date on which the copies of this notification as published in the Gazette of India are made available to the general public, object in writing to the acquisition of the right of user therein or laying of the pipeline under the land to the Competent Authority, Gas Authority of India Limited D-143/B, Koshalya Marg, Basant Marg, Bani Park, Jaipur (Rajasthan)

SCHEDULE

Distt	Tehsil	Village	Survey No	Land to be acquired for R.O.U. (in Hectares)
A	B	C	D	E
Jaipur	Dudu	Khatwara	708	0.0079
			698	0.0396
			415/1259	0.0158
			414	0.0316
			453	0.0316
			Total	0.1265
		Gangati Kalan	965	0.0079
			Total	0.0079

A	B	C	D	E
Jaipur	Dudu	Manpura	18	0.0792
			16	0.0158
			55	0.0316
			Total	0.1266
		Maheshpura	329	0.0237
			77	0.0316
			25	0.0633
			Total	0.1186
		Chak Maheshpura	20	0.0238
			22	0.0158
			23	0.0712
			10	0.4393
			11	0.1505
			6	0.0030
			5	0.3327
			4	0.2376
			1/3	0.1584
			3/2	0.2218
			3/1/2	0.0990
			3/3	0.1080
			3/1/1	0.3643
			Total	2.2254
		Rahlana	1282	0.0079
			1854/4	0.1419
			Total	0.1498
		Harsoli	981	0.0792
			Total	0.0792
		Guda Saipura	207	0.0871
			201/455	0.0040
			201/467	0.1108
			Total	0.2019

[No. L-14014/3/2000-G.P. (Part-II)]

I. S. N. PRASAD, Director (NG)

नई दिल्ली, 16 मार्च, 2001

का. आ. 614.—केन्द्रीय सरकार को ऐसा प्रतीत होता है कि लोकहित में यह आवश्यक है कि राजस्थान राज्य में काण्डला-जामनगर-लोनी पाइपलाइन परियोजना के माध्यम से द्रव पेट्रोलियम गैस के परिवहन के लिए, गैस अथॉरिटी ऑफ इंडिया लिमिटेड द्वारा पाइपलाइन बिछाई जानी चाहिए;

और केन्द्रीय सरकार को यह प्रतीत होता है कि उक्त पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक है कि इस अधिसूचना से आलेख अनुसूची में वर्णित भूमि जिस में उक्त पाइपलाइन बिछाए जाने का प्रस्ताव है में उपयोग के अधिकार का अर्जन करना आवश्यक है;

अतः, अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962, (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उसमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

उक्त अनुसूची में वर्णित भूमि में हितबद्ध कोई व्यक्ति, राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दिये जाने की तारीख से 21 (इक्कीस) दिनों के भीतर, उसमें उपयोग के अधिकार का अर्जन या भूमि में पाइपलाइन बिछाने के संबंध में आक्षेप लिखित रूप से सक्षम प्राधिकारी, गैस अथॉरिटी ऑफ इंडिया लिमिटेड, डी-143/बी, कौशल्या मार्ग, बसन्त मार्ग, बनी पार्क, जयपुर, राजस्थान को कर सकेगा।

अनुसूची

जिला	तहसील	ग्राम	खसरा नं.	का.आ.उ. के लिए अर्जित की जाने वाली भूमि हेक्टेयर में
क	ख	ग	घ	ङ
अलवर	तिजारा	गुवाल्दा	723	0.0160
			720	0.0760
			714	0.1380
			712	0.1640
			411	0.0100
			413	0.0450
			योग	0.4490

[सं० एल-14014/3/2000-जी.पी. (पार्ट-II)]

आई.एस.एन. प्रसाद, निदेशक (प्रा. गैस)

New Delhi, the 16th March, 2001

S.O. 614.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Liquid Petroleum Gas through Kandla—Jamnagar—Loni Pipeline Project in Rajasthan State, a pipeline should be laid by the Gas Authority of India Limited;

And whereas, it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the right of user in the land under which the said pipeline is proposed to be laid, and which is described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person, interested in the land described in the said Schedule may, within twenty one days from the date on which the copies of this notification, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the right of user therein or laying of the pipeline under the land to the Competent Authority, Gas Authority of India Limited, D-143/B, Koshalya Marg, Basant Marg, Bani Park, Jaipur (Rajasthan).

SCHEDULE

Distt	Tehsil	Village	Survey No	Land to be acquired for R O U. (in Hectares)
A	B	C	D	E
Alwar	Tijara	Guwalda	723	0 0160
			720	0 0760
			714	0 1380
			712	0 1640
			411	0 0100
			413	0 0450
			Total	0 4490

[No L-14014/3/2000-G P (Part-II)]

I S N PRASAD Director (NG)

नई दिल्ली, 16 मार्च 2001

का. आ. 615.—केन्द्रीय सरकार को ऐसा प्रतीत होता है कि लोकहित में यह आवश्यक है कि राजस्थान राज्य में काण्डला-जामनगर-लोनी पाइपलाइन परियोजना के माध्यम से द्रव पेट्रोलियम गैस के परिवहन के लिए, गैस अथॉरिटी ऑफ इंडिया लिमिटेड द्वारा पाइपलाइन बिछाई जानी चाहिए;

और केन्द्रीय सरकार को यह प्रतीत होता है कि उक्त पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक है कि इस अधिसूचना से आलेख अनुसूची में वर्णित भूमि जिस में उक्त पाइपलाइन बिछाए जाने का प्रस्ताव है में उपयोग के अधिकार का अर्जन करना आवश्यक है;

अतः, अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, उसमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

उक्त अनुसूची में वर्णित भूमि में हितबद्ध कोई व्यक्ति, राजपत्र में तथा प्रकाशित इस अधिसूचना की प्रतियां माधारण जनता को उपलब्ध करा दिये जाने की तारीख से 21 (इक्कीस) दिनों के भीतर, उसमें उपयोग के अधिकार का अर्जन या भूमि में पाइपलाइन बिछाने के संबंध में आक्षेप लिखित रूप से सक्षम प्राधिकारी, गैस अथॉरिटी ऑफ इंडिया लिमिटेड, डी-143/बी कौशल्या मार्ग, बमन्त मार्ग, बनी पार्क, जयपुर, राजस्थान को कर सकेगा।

अनुसूची

जिला	तहसील	ग्राम	खसरा नं.	का.आ उ के लिए अर्जित की जाने वाली भूमि हेक्टेयर में
क	ख	ग	घ	ङ
अलवर	बानसूर	खेडा श्यामपुरा	1911	0.0180
			योग	0.0180
		हरसौरा	387	0.0040
			योग	0.0040
		मोटूका	888	0.0060
			योग	0.0060

[सं० एल-14014/3/2000-जी पी (पार्ट-II)]

आई.एस.एन प्रसाद, निदेशक (प्रा. गैस)

New Delhi, the 16th March, 2001

S.O. 615.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Liquid Petroleum Gas Through Kandla—Jamnagar—Loni Pipeline Project in Rajasthan State, a pipeline should be laid by the Gas Authority of India Limited,

And whereas, it appears to the Central Government that for the purpose of laying the said Pipeline, it is necessary to acquire the right of user in the land under which the said Pipeline is proposed to be laid, and which is described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein,

Any person, interested in the land described in the said Schedule may, within twenty one days from the date on which the copies of this notification, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the right of user therein or laying of the pipeline under the land to the Competent Authority, Gas Authority of India Limited, D-143/B, Koshalya Marg, Basant Marg, Bani Park, Jaipur (Rajasthan).

SCHEDULE

Distt.	Tehsil	Village	Survey No	Land to be acquired for R.O U (in Hectares)
A	B	C	D	E
Alwar	Bansur	Khera Shayampura	1911	0.0180
			Total	0.0180
		Harsora	387	0.0040
			Total	0.0040
		Motuka	888	0.0060
			Total	0.0060

[No L-14014/3/2000-G.P. (Part-II)]

I.S.N. PRASAD, Director (NG)

नई दिल्ली, 19 मार्च, 2001

का. आ. 616.—केन्द्रीय सरकार को ऐसा प्रतीत होता है कि लोकहित में यह आवश्यक है कि राजस्थान राज्य में काण्डला-जामनगर-लोनी पाइपलाइन परियोजना के माध्यम से तरल पेट्रोलियम गैस के परिवहन के लिए, गैस अथॉरिटी ऑफ इंडिया लिमिटेड द्वारा पाइपलाइन बिछाई जानी चाहिए;

और केन्द्रीय सरकार को यह प्रतीत होता है कि उक्त पाइपलाइन बिछाने के प्रयोजन के लिए इस अधिसूचना में उपाबद्ध अनुसूची में वर्णित भूमि जिनके नीचे उक्त पाइपलाइन बिछाई जानी है, प्रस्तावित है, में उपयोग का अधिकार अर्जित करना आवश्यक है;

अतः, अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उसमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

उक्त अनुसूची में वर्णित भूमि में हितबद्ध कोई व्यक्ति, राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दिये जाने की तारीख से 21 (इक्कीस) दिनों के भीतर, उसमें उपयोग के अधिकार का अर्जन या भूमि में पाइपलाइन बिछाने के संबंध में आक्षेप लिखित रूप से सक्षम प्राधिकारी, गैस अथॉरिटी ऑफ इंडिया लिमिटेड, डी-143/बी, कौशल्या मार्ग, बसन्त मार्ग, बनी पार्क, जयपुर, राजस्थान को कर सकेगा।

अनुसूची

जिला	तहसील	ग्राम	खसरा नं.	उ. का.अ. के लिए अर्जित की जाने वाली भूमि हेक्टेयर में
क	ख	ग	घ	ङ
पाली	बाली	मुण्डारा	36	0.0060
			योग	0.0060
		सेवाडी	219	0.0020
			323	0.0240
			175	0.0180
			योग	0.0440
		सेसली	945	0.0720
			857	0.0960
			859	0.0160
			861	0.0240
			योग	0.2080
		वीरमपुरा	1948	0.0060
			1965	0.0100
			1966	0.0240
			योग	0.0400
		भीटवाडा	759	0.0010
			योग	0.0010
		सादलवा	239/315	0.0020
			योग	0.0020
		बेडा	1926/4993	0.0920
			योग	0.0920
		नाना	650/4159	0.0080
			184/4171	0.2400
			114	0.0080
			193	0.2080
			118	0.1520
			201	0.0840
			200	0.0840
			219	0.2400
			220	0.0400
			250	0.3360
			184 बी	0.0880
			42	0.1260
			योग	1.6140
		कुमठिया	246	0.0120
			योग	0.0120

[सं० एल-14014/3/2000-जी.पी.]

आई.एस.एन. प्रसाद, निदेशक (ग्रा. गैस)

New Delhi, the 19th March, 2001

S.O. 616.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Liquid Petroleum Gas Through Kandla—Jamnagar—Loni Pipeline Project in Rajasthan State, a Pipeline should be laid by the Gas Authority of India Limited;

And whereas, it appears to the Central Government that for the purpose of laying the said Pipeline, it is necessary to acquire the right of user in the land under which the said Pipeline is proposed to be laid, and which is described in the Schedule annexed to this notification:

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person, interested in the land described in the said Schedule may, within twenty one days from the date on which the copies of this notification, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the right of user therein or laying of the pipeline under the land to the Competent Authority, Gas Authority of India Limited, D-143/B, Koshalya Marg, Basant Marg, Bani Park, Jaipur (Rajasthan).

SCHEDULE

Distt.	Tehsil	Village	Survey No.	Land to be acquired for R.O U. (in Hectares)
A	B	C	D	E
Pali	Bali	Mundara	36	0.0060
			Total	0.0060
		Seawadi	219	0.0020
			323	0.0240
			175	0.0180
			Total	0.0440
		Sesali	945	0.0720
			857	0.0960
			859	0.0160
			861	0.0240
			Total	0.2080
		Virampura	1948	0.0060
			1965	0.0100
			1966	0.0240
			Total	0.0400
		Bhitwara	759	0.0010
			Total	0.0010
		Sadlwa	239/315	0.0020
			Total	0.0020
		Bera	1926/4993	0.0920
			Total	0.0920

A	B	C	D	E
		Nana	650/4159	0 0080
			184/4171	0 2 100
			114	0 0080
			193	0 2080
			118	0 1520
			201	0 0840
			200	0 0840
			219	0 2400
			220	0 0400
			250	0 3360
			184Min	0 0880
			42	0 1260
			Total	1 6140
		Kumaduva	246	0 0120
			Total	0 0120

[F No J-14014/3/2000-G P]

I S N PRASAD, Director (NG)

नई दिल्ली, 19 मार्च, 2001

का. आ. 617.— केन्द्रीय सरकार को ऐसा प्रतीत होता है कि लोकहित में यह आवश्यक है कि राजस्थान राज्य में काण्डला-जामनगर-लोनी पाइपलाइन परियोजना के माध्यम से तरल पेट्रोलियम गैस के परिवहन के लिए, गैस अथॉरिटी ऑफ इंडिया लिमिटेड द्वारा पाइपलाइन बिछाई जानी चाहिए;

और केन्द्रीय सरकार को यह प्रतीत होता है कि उक्त पाइपलाइन बिछाने का प्रयाजन के लिए इस अधिसूचना से उपाबद्ध अनुसूची में वर्णित भूमि जिसके नीचे उक्त पाइपलाइन बिछाई जानी है, प्रस्तावित है, में उपयोग के अधिकार का अर्जन करना आवश्यक है;

अतः, अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उसमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

उक्त अनुसूची में वर्णित भूमि में हितबद्ध कोई व्यक्ति, राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियां माधारण जनता को उपलब्ध करा दिये जाने की तारीख से 21 (इक्कीस) दिनों के भीतर, उसमें उपयोग के अधिकार का अर्जन या भूमि में पाइपलाइन बिछाने के संबंध में आक्षेप लिखित रूप से सक्षम प्राधिकारी, गैस अथॉरिटी ऑफ इंडिया लिमिटेड, डी-143/बी, कौशल्या मार्ग, बसन्त मार्ग, बनी पार्क, जयपुर, राजस्थान को कर सकेगा।

अनुसूची

जिला	तहसील	ग्राम	खसरा नं.	उ का अ के लिए अर्जित की जाने वाली भूमि हेक्टेयर में
क	ख	ग	घ	ङ
पाली	मोजत	गुहा बीजा	555	0.0300
			योग	0.0300

[फा. सं एल-14014/3/2000-जी.पी.]

आई. एस. एन. प्रसाद, निदेशक (प्रा. गैस)

New Delhi, the 19th March, 2001

S.O. 617.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Liquid Petroleum Gas through Kandla—Jamnagar—Loni Pipeline Project in Rajasthan State, a pipeline should be laid by the Gas Authority of India Limited,

And whereas, it appears to the Central Government that for the purpose of laying the said Pipeline, it is necessary to acquire the right of user in the land under which the said Pipeline is proposed to be laid, and which is described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person, interested in the land described in the said Schedule may, within twenty one days from the date on which the copies of this notification, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the right of user therein or laying of the pipeline under the land to the Competent Authority, Gas Authority of India Limited, D-143/B, Koshalya Marg, Basant Marg, Bani Park, Jaipur (Rajasthan)

SCHEDULE

Distt.	Tehsil	Village	Survey No.	Land to be acquired for R.O.U. (in Hectares)
A	B	C	D	E
Pali	Sojat	Gudha Bija	555	0.0300
			Total	0.0300

[F. No. L-14014/3/2000-GP]

I. S. N. PRASAD, Director (NG)

नई दिल्ली, 19 मार्च, 2001

का. आ. 618.—केन्द्रीय सरकार को ऐसा प्रतीत होता है कि लोकहित में यह आवश्यक है कि राजस्थान राज्य में काण्डला-जामनगर-लोनी पाइपलाइन परियोजना के माध्यम से तरल पेट्रोलियम गैस के परिवहन के लिए, गैस अथॉरिटी ऑफ इंडिया लिमिटेड द्वारा पाइपलाइन बिछाई जानी चाहिए;

और केन्द्रीय सरकार को यह प्रतीत होता है कि उक्त पाइपलाइन बिछाने के प्रयोजन के लिए इस अधिसूचना में उपाबद्ध अनुसूची में वर्णित भूमि जिसके नीचे उक्त पाइपलाइन बिछाई जानी है, प्रस्तावित है, में उपयोग के अधिकार का अर्जन करना आवश्यक है;

अतः, अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उसमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

उक्त अनुसूची में वर्णित भूमि में हितबद्ध कोई व्यक्ति, राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दिये जाने की तारीख से 21 (इक्कीस) दिनों के भीतर, उसमें उपयोग के अधिकार का अर्जन या भूमि में पाइपलाइन बिछाने के संबंध में आक्षेप लिखित रूप से सक्षम प्राधिकारी, गैस अथॉरिटी ऑफ इंडिया लिमिटेड, टी-143/बी, कौशल्या मार्ग, बसन्त मार्ग, बनी पार्क, जयपुर, राजस्थान को कर सकेगा।

अनुसूची

जिला	तहसील	ग्राम	खसरा नं.	उ.का.अ. के लिए अर्जित की जाने वाली भूमि हेक्टेयर में
क	ख	ग	घ	ङ
पाली	देसूरी	उन्दरथल	343	0.2230
			340	0.0120
			335	0.1360
			142	0.1020
			141	0.0940
			योग	0.5670

क	ख	ग	घ	ङ
		ढालोप	424	0.0400
			योग	0.0400
		जीवन्दखुर्द	82	0.1320
			48	0.0200
			216	0.1000
			216/1	0.0120
			योग	0.2640
		नाढोल	4518	0.0400
			3800	0.0220
			3565	0.0060
			योग	0.0680

[फा. सं. एल-14014/3/2000-जी.पी.]

आई. एस. एन. प्रसाद, निदेशक (प्रा. गैस)

New Delhi, the 19th March, 2001

S.O. 618 .—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Liquid Petroleum Gas through Kandla—Jamnagar—Loni Pipeline Project in Rajasthan State, a pipeline should be laid by the Gas Authority of India Limited;

And whereas, it appears to the Central Government that for the purpose of laying the said Pipeline, it is necessary to acquire the right of user in the land under which the said Pipeline is proposed to be laid, and which is described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein,

Any person, interested in the land described in the said Schedule may, within twenty one days from the date on which the copies of this notification, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the right of user therein or laying of the pipeline under the land to the Competent Authority, Gas Authority of India Limited, D-143/B, Koshalya Marg, Basant Marg, Banu Park, Jaipur (Rajasthan).

SCHEDULE

Distt.	Tehsil	Village	Survey No	Land to be acquired for R O U (in Hectares)
A	B	C	D	E
Palli	Desuri	Underthal	343	0.2230
			340	0.0120
			335	0.1360
			142	0.1020
			141	0.0940
			Total	0.5670
		Dhalop	424	0.0400
			Total	0.0400

A	B	C	D	E
		Jiwand Khurd	82	0.1320
			48	0.0200
			216	0.1000
			216/1	0.0120
			Total	0.2640
		Nadol	4518	0.0400
			3800	0.0220
			3565	0.0060
			Total	0.0680

[F. No. L-14014/3/2000-G.P.]

I. S. N. PRASAD, Director (NG)

नई दिल्ली, 19 मार्च, 2001

का. आ. 619.—केन्द्रीय सरकार को ऐसा प्रतीत होता है कि लोकहित में यह आवश्यक है कि राजस्थान राज्य में काण्डला—जामनगर—लोनी पाइपलाइन परियोजना के माध्यम से तरल पेट्रोलियम गैस के परिवहन के लिए, गैस अथॉरिटी ऑफ इंडिया लिमिटेड द्वारा पाइपलाइन बिछाई जानी चाहिए;

और केन्द्रीय सरकार को यह प्रतीत होता है कि उक्त पाइपलाइन बिछाने के प्रयोजन के लिए इस अधिसूचना से उपाबद्ध अनुसूची में वर्णित भूमि जिसके नीचे उक्त पाइपलाइन बिछाई जानी है, प्रस्तावित है, में उपयोग का अधिकार अर्जित करना आवश्यक है;

अतः, अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उसमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

उक्त अनुसूची में वर्णित भूमि में हितबद्ध कोई व्यक्ति, राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दिये जाने की तारीख से 21 (इक्कीस) दिनों के भीतर, उसमें उपयोग के अधिकार का अर्जन या भूमि में पाइपलाइन बिछाने के संबंध में आप्पेप लिखित रूप से सक्षम प्राधिकारी, गैस अथॉरिटी ऑफ इंडिया लिमिटेड, डी-143/बी, कौशल्या मार्ग, बसन्त नगर, बनी पार्क, अय्यपुर, राजस्थान को कर सकेगा।

अनुसूची

जिला	तहसील	ग्राम	खसरा नं.	उ.का.अ. के लिए अर्जित की जाने वाली भूमि हेक्टेयर में
क	ख	ग	घ	ङ
पाली	मारवाड़ जंक्शन	बड़ी	266	0.0320
			62	0.0010
			योग	0.0330
		गदाना	288	0.0180
			194	0.0512
			योग	0.0692

क	ख	ग	घ	ङ
		हमीरवास	218	0.0060
			योग	0.0060
		राजोला खुर्द	272	0.0720
			344	0.0640
			योग	0.1360
		जटियों की छापी	1255	0.0416
			योग	0.0416

[फा० सं० एल-14014/3/2000-जी.पी.]

आई. एस. एन. प्रसाद, निदेशक (प्रा. गैस)

New Delhi, the 19th March, 2001

S.O. 619.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Liquid Petroleum Gas through Kandla—Jamnagar—Loni Pipeline Project in Rajasthan State a pipeline should be laid by the Gas Authority of India Limited;

And whereas, it appears to the Central Government that for the purpose of laying the said Pipeline, it is necessary to acquire the right of user in the land under which the said Pipeline is proposed to be laid, and which is described in the Schedule annexed to this notification.

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein:

Any person, interested in the land described in the said Schedule may, within twenty one days from the date on which the copies of this notification, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the right of user therein or laying of the pipeline under the land to the Competent Authority, Gas Authority of India Limited, D-143/B, Koshalya Marg, Basant Marg, Bani Park, Jaipur (Rajasthan)

SCHEDULE

Distt	Tehsil	Village	Survey No.	Land to be acquired for R.O.U (in Hectares)
A	B	C	D	E
Palli	Marwar Junction	Bani	266	0.0320
			62	0.0010
			Total	0.0330
		Gadana	288	0.0180
			194	0.0512
			Total	0.0692
		Hamirwas	218	0.0060
			Total	0.0060
		Rajola Khurd	272	0.0720
			344	0.0640
			Total	0.1360
		Jatiyo ki Dhami	1255	0.0416
			Total	0.0416

[F. No. L-14014/3/2000-G P.]

I. S. N. PRASAD, Director (NG)

नई दिल्ली, 19 मार्च, 2001

का.आ. 620.—केन्द्रीय सरकार को ऐसा प्रतीत होता है कि लोकहित में यह आवश्यक है कि राजस्थान राज्य में कांडला-जामनगर-लोनी पाइपलाइन परियोजना के माध्यम से तरल पेट्रोलियम गैस के परिवहन के लिए, गैस अथॉरिटी ऑफ इंडिया लिमिटेड द्वारा पाइपलाइन बिछाई जानी चाहिए ;

और केन्द्रीय सरकार को यह प्रतीत होता है कि उक्त पाइपलाइन बिछाने के प्रयोजन के लिए इस अधिसूचना में उपाबद्ध अनुसूची में वर्णित भूमि जिसके नीचे उक्त पाइपलाइन बिछाई जानी है, प्रस्तावित है, में उपयोग का अधिकार अर्जित करना आवश्यक है;

अतः, अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962, (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उसमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

उक्त अनुसूची में वर्णित भूमि में हितबद्ध कोई व्यक्ति, राजपत्र में यथाप्रकाशित इस अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दिये जाने की तारीख से 21 (इक्कीस) दिनों के भीतर, उसमें उपयोग के अधिकार का अर्जन या भूमि में पाइपलाइन बिछाने के संबंध में आक्षेप लिखित रूप से सक्षम प्राधिकारी, गैस अथॉरिटी ऑफ इंडिया लिमिटेड, डी-143/बी, कौशल्या मार्ग, बसन्त मार्ग, बनी पार्क, जायपुर, राजस्थान को कर सकेगा।

अनुसूची

जिला	तहसील	ग्राम	खसरा नं.	उ.का.अ. के लिए अर्जित की जाने वाली भूमि हैक्टेअर में
क	ख	ग	घ	ङ
सिरोही	आबू रोड	तरतौली	397	0.1188
			390	0.0158
योग				0.1346

[फा.सं. एल-14014/3/2000-जी.पी.]

आई. एस. एन. प्रसाद, निदेशक (प्रा. गैस)

New Delhi, the 19th March, 2001

S.O. 620.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Liquid Petroleum Gas through Kandla-Jamnagar-Loni Pipeline Project in Rajasthan State, a pipeline should be laid by the Gas Authority of India Limited;

And whereas, it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the right of user in the land under which the said pipeline is proposed to be laid, and which is described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person, interested in the land described in the said Schedule may, within twenty-one days from the date on which the copies of this notification, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the right of user therein or laying of the pipeline under the land to the Competent Authority, Gas Authority of India Limited, D-143/B, Koshalya Marg, Basant Marg, Bani Park, Jaipur (Rajasthan).

SCHEDULE

District	Tehsil	Village	Survey No.	Land to be acquired for R.O.U. (in hactares)
1	2	3	4	5
Sirohi	Abu Road	Tartoli	397	0 1188
			390	0 0158
			Total	0.1346

[File No. L-14014/3/2000-G.P.]

I S N. PRASAD, Director (NG)

नई दिल्ली, 19 मार्च, 2001

का.आ. 621.---केन्द्रीय सरकार को ऐसी प्रतीत होता है कि लोकहित में यह आवश्यक है कि राजस्थान राज्य में कांडला-जामनगर-खोनी पाइपलाइन परियोजना के माध्यम से तरल पेट्रोलियम गैस के परिवहन के लिए, गैस अर्थोरिटी ऑफ इंडिया लिमिटेड द्वारा पाइपलाइन बिछाई जानी चाहिए;

और केन्द्रीय सरकार को यह प्रतीत होता है कि उक्त पाइपलाइन बिछाने के प्रयोजन के लिए इस अधिसूचना से उपायद्ध अनुसूची में वर्णित भूमि जिसके नीचे उक्त पाइपलाइन बिछाई जानी है, प्रस्तावित है, में उपयोग का अधिकार अर्जित करना आवश्यक है;

अतः, अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उसमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

उक्त अनुसूची में वर्णित भूमि में हितबद्ध कोई व्यक्ति, राजपत्र में यथाप्रकाशित इस अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दिये जाने की तारीख से 21 (इक्कीस) दिनों के भीतर, उसमें उपयोग के अधिकार का अर्जन या भूमि में पाइपलाइन बिछाने के संबंध में आक्षेप लिखित रूप से सक्षम प्राधिकारी, गैस अर्थोरिटी ऑफ इंडिया लिमिटेड, डी-143/बी, कौशल्या मार्ग, बसन्त मार्ग, बनीपार्क, जयपुर, राजस्थान को कर सकेगा।

अनुसूची

जिला	तहसील	ग्राम	खम्बरा नं.	उ.का.अ. के लिए अर्जित की जाने वाली भूमि हैक्टेअर में
1	2	3	4	5
पाली	रायपुर	सुमेल	1057	0.6282
			योग	0 1346
		नारगढ़	1042	0.3648
			योग	0.3648
		मगदडा	71	0.0020
			49	0.0507
			41	0.0760
			38	0.0634
			12	0.0760
			6	0.0507
			योग	0.3188

[फा.सं. एल-14014/3/2000-जी.पी.]

आई. एस. एन. प्रसाद, निदेशक (प्रा. गैस)

New Delhi, the 19th March, 2001

S.O. 621.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Liquid Petroleum Gas through Kandla-Jamnagar-Loni Pipeline Project in Rajasthan State, a pipeline should be laid by the Gas Authority of India Limited;

And whereas, it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the right of user in the land under which the said pipeline is proposed to be laid, and which is described in the Schedule annexed to this notification:

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of Users in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person, interested in the land described in the said Schedule may, within twenty one days from the date on which the copies of this notification, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the right of user therein or laying of the pipeline under the land to the Competent Authority, Gas Authority of India Limited, D-143/B, Koshalaya Marg, Basant Marg, Bani Park, Jaipur (Rajasthan).

SCHEDULE

District	Tehsil	Village	Survey No.	Land to be acquired for R.O.U. (in hectares)
1	2	3	4	5
Pali	Raipur	Sumel	1057	0.6282
			Total	0.6282
		Nargarh	1042	0.3648
			Total	0.3648
		Megarda	71	0.0020
			49	0.0507
			41	0.0760
			38	0.0634
			12	0.0760
			6	0.0507
			Total	0.3188

[File No. L-14014/3/2000-G.P]

I.S.N. PRASAD, Director (NG)

नई दिल्ली, 21 मार्च, 2001

का.आ. 622.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना सं. का. आ. 895(अ), और 896(अ) तारीख 28 सितम्बर, 2000 द्वारा अधिसूचनाओं से संलग्न अनुसूची में विनिर्दिष्ट भूमि में गैस अथॉरिटी ऑफ इंडिया लिमिटेड द्वारा आन्ध्र प्रदेश राज्य में केसनापल्ली से कडाली तक प्राकृतिक गैस के परिवहन के लिए पाइपलाइन बिछाने के प्रयोजन के लिए अधिकार का अर्जन करने के आशय की घोषणा की थी;

और उक्त, राजपत्र अधिसूचनाओं की प्रतियां 23 नवम्बर, 2000 को जनता को उपलब्ध करा दी गई थीं;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन रिपोर्ट केन्द्रीय सरकार को प्रस्तुत कर दी है;

केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है;

अतः उक्त, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए घोषणा करती है कि अनुसूची में निर्दिष्ट उक्त भूमि में पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग का अधिकार अर्जित किया जाता है;

और केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए निर्देश दे देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से, केन्द्रीय सरकार में निहित होने के बजाए, सभी चित्तलंगमों से मुक्त गैस अथॉरिटी प्रा. लिमिटेड में निहित होगा।

अनुसूची

जिला	तहसील	गाँव	सर्वे नं.	क्षेत्रफल हेक्टेयर में
पुर्ना गोदावरी	राजोद	पोणमंडा	184 भाग	0 0450 जीपी
			183/5	0.0375
			183/8ए भाग	0.1550
			183/8बी भाग	0 1425
			185 भाग	0 0300 जीपी
			241/1 भाग	0.1500
			241/2 भाग	0 1450
			243/10 भाग	0.0716
			243/11 भाग	0.0800
			243/12 भाग	0.0175
			247 भाग	0.0200
			249/1 भाग	0 0225
			249/5 भाग	0.0075
			249/6 भाग	0 0300
			249/7 भाग	0.0150
			249/8 भाग	0 0050
			250/9 भाग	0.0300
			250/10 भाग	0 0100
			250/11 भाग	0.0162
			250/12 भाग	0.0775
			250/13 भाग	0.0025
			250/15 भाग	0.0100
			250/14 भाग	0.0600
			251 भाग	0 0150
			499 भाग	0.3875
			496 भाग	0.0475 जीपी
			495/1 भाग	0.0050
			495/2 भाग	0.3125
			495/3 भाग	0.0066
			494/9 भाग	0.0975

जिला	तहसील	गाँव	सर्वे नं	क्षेत्रफल इ.के.ए. में
पूर्वी गंगावर्ग	राजाल	पौणामडा	494/10 भाग	0 0150
			489 भाग	0 0125 जमीनी
			488 भाग	0 1550
			488/3 भाग	0 0375
			480/4 भाग	0 1975
			486/5 भाग	0 0175
			486/6 भाग	0 0275
			485 भाग	0 0250 जमीनी
			484/6 भाग	0 1225
			484/7 भाग	0 0012
			481/8 भाग	0 0036
			483 भाग	0 0325 जमीनी
			482/1 भाग	0 0950
			481/2 भाग	0 1700
			449/9बी	0 0100
			449/9सी	0 0860
			449/12	0 0316
			449/14	0 0636
			448 भाग	0 0450 जमीनी
			452/11 भाग	0 2100
			446/5 भाग	0 0850
			446/6 भाग	0 0900
			436 भाग	0 0750
			435/1 भाग	0 0350
			435/2 भाग	0 0012
			435/3 भाग	0 1000
			435/5 भाग	0 0525
			435/6 भाग	0 0375
			434/2 भाग	0 0010
			433/5 भाग	0 0036
			433/6 भाग	0 1035
			428 भाग	0 0100 जमीनी
			370/3 भाग	0 0950
			370/4 भाग	0 0225
			371/1 भाग	0 0830
			371/2 भाग	0 1000
			371/3 भाग	0 1875
			372/2	0 1650
			389/1	0 1150
			388 भाग	0 1966
			387/1 भाग	0 1482
			386 भाग	0 0950
			379 भाग	0 0936 जमीनी
			कुल	5 1340

जिला	तहसील	गाँव	सर्वे नं	क्षेत्रफल हेक्टेयर में
पूर्वी गोदावरी	राजोल	काटरिनीपाडु	32/1 भाग	0 1350
			32/2 भाग	0 0600
			33/1	0 0675
			33/2	0 0450
			33/3	0 0125
			33/4	0 0612
			34/4	0 0525
			34/5 बी	0 1425
			34/6	0 0100
			35/4	0 0900
			35/3	0 0050
			35/7	0 1025
			39 भाग	0 0225 जीपी
			40/1 भाग	0 1500
			40/2 भाग	0 0525
			40/3 भाग	0 1625
			41/5 भाग	0 0250
			41/6 भाग	0 0375
			41/8 भाग	0 0150
			43 भाग	0 0225
			106/3	0 0500
			106/5	0 0975
			106/11	0 0100
			107/1	0 0450
			107/2	0 0525
			107/3	0 0100
			107/6 भाग	0 0350
			107/10	0 0600
			107/15	0 0950
			153/1	0 0600
			153/2	0 1125
			154	0 0600
			154	0 1025
			156/1	0 2275
			155 भाग	0 0875
			157/3	0 0400
			157/5	0 1100
			158/1	0 1825
			158/3	0 0200
			159/1	0 0400
			159/2	0 0400

जिला	तहसील	गाँव	सर्वे नं.	क्षेत्रफल हेक्टेयर में
पूर्वी गोदावरी	राजोल	काटरिनीपाडु	159/3	0 0900
			160/1	0 0700
			161/1	0.2425
			161/2	0 0800
			173/1	0.0162
			173/2	0 1700
			173/4	0.0400
			173/6	0 0062
			173/7	0.0050
			168 भाग	0.0225 जीपी
			172/3	0.0150
			172/2	0.3225
			194/1	0/2225
			194/2	0.0725
			कुल	4 1536
पूर्वी गोदावरी	राजोल	कडालि	749 भाग	0.0075
			750 भाग	0.0100
			798/1ए भाग	0 1150
			798/2 भाग	0.1100
			797/2 भाग	0.0600
			797/3 भाग	0.0600
			803/2 भाग	0 3300
			805/1 भाग	0.0125
			805/2 भाग	0.0050
			807 भाग	0.0750
			808 भाग	0.0100
			810 भाग	0.0100
			811/1 भाग	0.0950
			811/2 भाग	0 0012
			811/5 भाग	0 1250
			811/6 भाग	0.0050
			812/2 भाग	0.0075
			812/3 भाग	0.0150
			812/4 भाग	0 1400
			819/2 भाग	0.2650
			818 भाग	0.0700
			824 भाग	0 0375
			823 भाग	0 0450
			833/4 भाग	0.0625

जिला	तहसील	गाँव	सर्वे न	क्षेत्रफल हेक्टेयर में
पूर्वी गोदावरी	राजोव	कडाल	833/5 भाग	0 1250
			833/6 भाग	0 0750
			832/1 भाग	0 2550
			832/2 भाग	0 0600
			832/3 भाग	0 2100
			831/1 भाग	0 1400
			831/2 भाग	0 1000
			843/2 भाग	0 2400
			842 भाग	0 0200
			844 भाग	0 1350
			कुल	
पूर्वी गोदावरी	माल्कपुरम	केसनपति ।	495भाग	0 4300
			485 भाग	0 1900
			484/8 भाग	0 0050
			484/9 भाग	0 0350
			484/10 भाग	0 0450
			484/11 भाग	0 0150
			484/12 भाग	0 0800
			483/2ग भाग	0 0500
			483/2बी भाग	0 0550 जीपी
			483/3ए4 भाग	0 0012
			483/7 भाग	0 0500
			483/8ए भाग	0 0200
			483/8बी1 भाग	0 0125
			483/8बी2 भाग	0 0100
			483/9 भाग	0 0250
			483/10 भाग	0 0300
			478/5 भाग	0 1250
			478/6 भाग	0 0125
			479/4ए भाग	0 0600
			479/4बी भाग	0 0800
			479/3 भाग	0 0950
			480/1 भाग	0 0750
			480/2 भाग	0 1150
कुल			1 6162	

[फाइल नं० एस-14014/8/2000-जीपी]

आई एम एन प्रसाद निदेशक (प्रा गैस)

New Delhi, the 21st March, 2001

S.O. 622.—Whereas, by a notification of the Government of India in the Ministry of Petroleum and Natural Gas, number S. O. 895(E) and 896(E) dated the 28th September, 2000, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of Users in Land) Act, 1962 (50 of 1962), (hereinafter referred to as the said act), the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to that notification for the purpose of laying pipeline for transport of natural gas from Kesanapalli to Kadali in the State of Andhra Pradesh by the Gas Authority of India Limited;

And whereas, the copies of the said Gazette notifications were made available to the public from 23rd day of November, 2000 to 18th day of December, 2000,

And whereas, the competent authority has under sub-section (1) of section 6 of the said Act, has submitted report to the Central Government;

And whereas, the Central Government has after considering the said report, decided to acquire the right of user in the lands specified in the Schedule.

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said land specified in the Schedule is hereby acquired for laying the pipeline.

And, further in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government, vest, on this date of the publication of this declaration in the Gas Authority of India Limited, free from all encumbrances.

SCHEDULE

District	Tehsil	Village	Survey No.	Area in Hectares
East Godavari	Razole	Ponnamanda	184/Pt	0 0450 GP
			183/5	0.0375
			183/8A Pt	0.1550
			183/8B Pt	0 1425
			185 Pt	0.0300 GP
			241/1 Pt	0.1500
			241/2 Pt	0.1450
			243/10 Pt	0.0716
			243/11 Pt	0.0800
			243/12 Pt	0.0175
			247 Pt	0.0200
			249/1 Pt	0 0225
			249/5 Pt	0.0075
			249/6 Pt	0.0300
			249/7 Pt	0 0150
			249/8 Pt	0.0050
			250/9 Pt	0.0300
			250/10 Pt	0.0100
			250/11 Pt	0 0162

District	Tehsil	Village	Survey No	Area in Hectares
East Godavari	Razole	Ponnaimanda	250/12 Pt	0.0775
			250/13 Pt	0.0025
			250/15 Pt	0.0100
			250/14 Pt	0.0600
			251 Pt	0.0150
			499 Pt	0.3875
			496 Pt	0.0475 GP
			495/1 Pt	0.0050
			495/2 Pt	0.3125
			495/3 Pt	0.0066
			494/9 Pt	0.0975
			494/10 Pt	0.0150
			489 Pt	0.0125 GP
			488 Pt	0.1550
			486/3 Pt	0.0375
			486/4 Pt	0.1975
			486/5 Pt	0.0175
			486/6 Pt	0.0275
			485 Pt	0.0250 GP
			484/6 Pt	0.1225
			484/7 Pt	0.0012
			484/8 Pt	0.0036
			483 Pt	0.0325 GP
			482/1 Pt	0.0950
			481/2 Pt	0.1700
			449/9b	0.0100
			449/9c	0.0866
			449/12	0.0316
			449/14	0.0636
			448 Pt	0.0450 GP
			432/11 Pt	0.2100
			446/5 Pt	0.0850
			446/6 Pt	0.0066
			436 Pt	0.0250

District	Tehsil	Village	Survey No.	Area in Hectares
East Godavari	Razole	Ponnamanda	435/1 Pt	0.0350
			435/2 Pt	0.0012
			435/3 Pt	0.1000
			435/5 Pt	0.0525
			435/6 Pt	0.0375
			434/2 Pt	0.0010
			437/5 Pt	0.0036
			437/6 Pt	0.1036
			438 Pt	0.0100 GP
			370/3 Pt	0.0950
			370/4 Pt	0.0325
			371/1 Pt	0.0836
			371/2 Pt	0.1000
			371/3 Pt	0.1875
			372/2	0.1650
			389/1	0.1150
			388 Pt	0.1966
			387/1 Pt	0.1482
			386 Pt	0.0950
			379 Pt	0.0936
			TOTAL	5.1840
East Godavari	Razole	Katrenipadu	32/1 Pt	0.1350
			32/2 Pt	0.0600
			33/1	0.0675
			33/2	0.0450
			33/3	0.0125
			33/4	0.0612
			34/4	0.0525
			34/5 B	0.1425
			34/6	0.0100
			35/4	0.0900
			35/3	0.0050
			35/7	0.1025
			39 Pt	0.0225 GP

District	Tehsil	Village	Survey No.	Area in Hectares
East Godavari	Razole	Katrenipadu	40/1 Pt	0.1500
			40/2 Pt	0.0525
			40/3 Pt	0.1625
			41/5 Pt	0.0250
			41/6 Pt	0.0375
			41/8 Pt	0.0150
			43 Pt	0.0225
			106/3	0.0500
			106/5	0.0975
			106/11	0.0100
			107/1	0.0450
			107/2	0.0525
			107/3	0.0100
			107/6 Pt	0.0350
			107/10	0.0600
			107/15	0.0950
			153/1	0.0600
			153/2	0.1125
			154/	0.0600
			154/	0.1025
			156/1	0.2275
			155 Pt	0.0875
			157/3	0.0400
			157/5	0.1100
			158/1	0.1825
			158/3	0.0200
			159/1	0.0400
			159/2	0.0400
			159/3	0.0900
			160/1	0.0700
			161/1	0.2425
			161/2	0.0800
			173/1	0.0162
			173/2	0.1700
			173/4	0.0100

District	Tehsil	Village	Survey No	Area in Hectares
East Godavari	Razole	Katrenipadu	173/6	0.0062
			173/7	0 0050
			168 Pt	0.0225 GP
			172/3	0 0150
			172/2	0 3225
			194/1	0 2225
			194/2	0 0725
			TOTAL	4.1536
East Godavari	Razole	Kadali	749 Pt	0.0075
			750 Pt	0.0100
			798/1A Pt	0.1150
			798/2 Pt	0.1100
			797/2 Pt	0.0600
			797/3 Pt	0.0600
			803/2 Pt	0.3300
			805/1 Pt	0.0125
			805/2 Pt	0.0050
			807 Pt	0 0750
			808 Pt	0.0100
			810 Pt	0.0100
			811/1 Pt	0.0950
			811/2 Pt	0.0012
			811/5 Pt	0.1250
			811/6 Pt	0.0050
			812/2 Pt	0.0075
			812/3 Pt	0.0150
			812/4 Pt	0.1400
			819/2 Pt	0.2650
			818 Pt	0.0700
			824 Pt	0.0375
			823 Pt	0.0450
			833/4 Pt	0.0625
			833/5 Pt	0 1250
			833/6 Pt	0.0750

District	Tehsil	Village	Survey No	Area in Hectares
East Godavari	Razole	Kadali	832/1 Pt	0 2550
			832/2 Pt	0 0600
			832/3 Pt	0 2100
			831/1 Pt	0 1400
			831/2 Pt	0 1000
			843/2 Pt	0 2400
			842 Pt	0 0200
			844 Pt	0 1350
			TOTAL	3 0337
East Godavari	Malikipuram	Kesanapalli	495 Pt	0 4300
			485 Pt	0 1900
			484/8 Pt	0 0050
			484/9 Pt	0 0350
			484/10 Pt	0 0450
			484/11 Pt	0 0150
			484/12 Pt	0 0800
			483/2A Pt	0 0500
			483/2B Pt	0 0550 GP
			483/3A4 Pt	0 0012
			483/7 Pt	0 0500
			483/8A Pt	0 0200
			483/8B1 Pt	0 0125
			483/8B2 Pt	0 0100
			483/9 Pt	0 0250
			483/10 Pt	0 0300
			478/5 Pt	0 1250
			478/6 Pt	0 0125
			479/4A Pt	0 0600
			479/4B Pt	0 0800
			479/3 Pt	0 0950
			480/1 Pt	0 0750
			480/2 Pt	0 1150
			TOTAL	1 6162

[File No L-14014/8/2000-GP]

I S N PRASAD, Director (NG)

श्रम मंत्रालय

नई दिल्ली, 26 फरवरी, 2001

का.आ. 623—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार डायरेक्टर कलाकशेत्रा फाउंडेशन के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, चेन्नई के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 26-2-2001 को प्राप्त हुआ था।

[सं. एल-42011/49/2000-आई. आर. (डी यू)]

कुलदीप राय वर्मा, डेस्क अधिकारी

MINISTRY OF LABOUR

New Delhi, the 26th February, 2001

S.O. 623.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour Court, Chennai as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Director, Kalakshetra Foundation and their workman, which was received by the Central Government on 26-2-2001.

[No. L-42011/49/2000-IR(DU)]

KULDIP RAI VFRMA, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHENNAI

Tuesday, the 30th January, 2001

PRESENT :

K. Karthikeyan, B.A., B.L., Presiding Officer.

Industrial Dispute No. 83/2000

(In the matter of the dispute for adjudication under Section 10(1)(d) and sub section 2(A) of the Industrial Disputes Act, 1947 between the Claimant and the Management, the Director, Kalakshetra Foundation, Thiruvanniyur, Chennai)

BETWEEN

The President,
The Kalakshetra Foundation
Employees Congress,
Nanganallur, Chennai

..Claimant/I Party.

AND

The Director,
Kalakshetra Foundation,
Thiruvanniyur, Chennai.

..Management/II Party.

APPEARANCES :

For the Claimant : Unrepresented.

For the Management : M/s. Ramasubramaniam and Associates, Advocates.

REFERENCE :

Order No. L-42011/49/2000/IR(DU) dated 30-10-2000
Ministry of Labour, Government of India, New Delhi.

AWARD

Schedule of Reference :

"Whether the withdrawal of free food supply to the workmen working in the kitchen department of B.C.C. Hostel in Kalakshetra Foundation is legal and justified? If not, to what relief the workmen are entitled?"

The Central Government by its order referred above has referred the Schedule mentioned dispute between the parties for adjudication by this Tribunal.

On receipt of this reference, this dispute has been taken on file of this Tribunal on 20-11-2000 as Industrial Dispute No. 83 of 2000 and notice to both the parties were ordered to be sent by Registered Post with acknowledgement due for the hearing on 5-12-2000. The notices sent accordingly to both the parties were served, and the postal acknowledgements were received. But the I Party/Claimant was not present for the hearing and there was no representation for the I Party Union. Counsel appearing for the II Party M/s. Ramasubramaniam and Associates filed Vakalat. So the case was adjourned to 15-12-2000 for the I Party Union to appear and to file the Claim Statement. When the matter was taken up on the adjourned date 15-12-2000, the counsel on record for the II Party alone was present. Neither the I Party/Claimant nor any of their representative present and file the Claim Statement of the I Party. There was no representation for I Party. So the matter was adjourned to 29-12-2000 for the appearance of I Party and for filing their Claim Statement. When, on 29-12-2000, the matter was taken up I Party Union remain unrepresented and the Claim Statement of the I Party was not filed. Counsel for the II Party alone was present. So the matter was adjourned to 17-1-2001 ordering fresh notice to the I Party Union by Registered Post with acknowledgement due. On that day also, when the matter was taken up II Party counsel alone appeared. No one appeared for I Party/Claimant and the Claim Statement of the I Party was not filed. There was no representation at all for the I Party. Then it was ordered to issue final notice to I Party Union by Registered Post with acknowledgement due for the hearing on this day the 30th January, 2001. Accordingly, the final notice was sent by Registered Post with acknowledgement due for the I Party for today's hearing. When the matter was taken up today, there is no representation for I Party Union. No one is appeared in spite of the final notice sent by Registered Post was served on them, as it is seen from the postal acknowledgement received. There is no representation. Claim Statement for the I Party is not filed. Counsel representing the Management/II Party present. Having received the notices sent by Registered Post including the final notice for today's hearing, the Party Union's representative has not chosen to appear before this forum and file the Claim Statement espousing the cause of the concerned workman. There is absolutely no representation for the I Party Union all these various hearing. The absence of the I Party union for all the hearings consistently shows that the union which espousing the cause of the concerned workman by raising this industrial dispute and the concerned workmen have absolutely no interest on inclination to prosecute this dispute before this Tribunal for adjudication for the relief sought as mentioned in the Schedule of reference. Under such circumstances, this Tribunal has to conclude that no dispute exists between the parties.

In the result, the Tribunal pass an award, holding that the dispute under reference does not exist and dismiss the claim referred to for non-prosecution. No cost.

Dictated to the typist, typed by her direct, corrected and pronounced by me in open court this day the 30th January, 2001.

K. KARTHIKEYAN, Presiding Officer

नई दिल्ली, 26 फरवरी, 2001

का.आ. 624—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मिलिट्री डेयरी फार्म के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, लखनऊ के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 26-2-2001 को प्राप्त हुआ था।

[सं. एल-14012/14/99-आई आर (डी यू)]

कुलदीप राय वर्मा, डेस्क अधिकारी

New Delhi, the 26th February, 2001

S.O. 624.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour Court, Lucknow as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Military Dairy Farm and their workman, which was received by the Central Government on 26-2-2001.

[No. L-14012/14/99-IR(DU)]

KULDIP RAI VERMA, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, LUCKNOW

Presiding Officer: Rudresh Kumar.

ADJUDICATION

I.D. No. 138/2000 (Old No. 232/99)

BETWEEN

Vinod Kumar,
C/o B.M.S. 32,
Chakrata Road,
Dehradun

AND

Officer Incharge,
Military Dairy Farm,
Dehradun.

AWARD

By reference No. L-14012/14/99-IR(DU) dated 21-7-1999, the Central Government the Ministry of Labour in exercise of powers conferred by clause (d) of sub-section (1) of Section 10 of I.D. Act, 1947 made over this industrial dispute between Vinod Kumar and Officer Incharge, Military Dairy Farm, Dehradun to the CGIT-cum-Labour Court, Kanpur for adjudication. Later, this dispute was transferred to this Tribunal for adjudication.

Reference reads as under:

"Whether the action of the management of Military Dairy Farm, Dehradun in terminating the services of Shri Vinod Kumar, Ex-Temp status casual labour is legal and justified? If not, to what relief the workman is entitled?"

2. Registered notices were sent to the workman on 29-9-2000, 23-10-2000, 14-11-2000, 21-12-2000 and 22-1-2001 but the workman did not appear. The management informed this Tribunal at Camp Court, Dehradun by letter dt. 17-1-2001 that the workman Vinod Kumar had filed an application with the management, not to pursue this dispute further. A photo copy of the letter signed by Vinod Kumar, is attached with the management's letter dated 17-1-2001.

3. Despite number of registered notices sent to the workman, he did not appear which indicates his unwillingness to pursue this industrial dispute. This fact may be also gauged from his letter to the management. In absence of claim statement of the workman, it is not feasible to adjudicate this reference on merit, so it is ordered to be returned without any adjudication.

4. Award accordingly.

9-2-2001.

Lucknow.

RUDRESH KUMAR, Presiding Officer

नई दिल्ली, 26 फरवरी, 2001

का. प्रा. 625.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मिलिट्री डेयरी फार्म के प्रबंधन के संघर्ष नियोजको और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, लखनऊ के पंचाद को प्रकाशित करती है, जो केन्द्रीय सरकार को 26-2-2001 को प्राप्त हुआ था।

[सं. एल-14012/31/99-आई आर (डी यू)]

कुलदीप राय वर्मा, डेस्क अधिकारी

New Delhi, the 26th February, 2001

S.O. 625.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal/Labour Court, Lucknow, as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Military Dairy Farm and their workman, which was received by the Central Government on 26-2-2001.

[No. L-14012/31/99-IR(DU)]

KULDIP RAI VERMA, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, LUCKNOW

Presiding Officer: Rudresh Kumar.

ADJUDICATION

I.D. No.: 143/2000 (Old No. 237/99)

BETWEEN

Bal Yogeshwar
C/o B.M.S., 32,
Chakrata Road,
Dehradun-248881.

AND

Officer Incharge,
Military Dairy Farm
Dehradun.

AWARD

By reference No. L-14012/31/99-IR(DU) dated 3-8-1999, the Central Government in the Ministry of Labour, in exercise of powers conferred by clause (d) of sub-section (1) of Section 10 of I.D. Act, 1947 made over this industrial dispute between Bal Yogeshwar and Officer Incharge, Military Dairy Farm, Dehradun to the CGIT-cum-Labour Court, Kanpur for adjudication. Later, this dispute was transferred to this Tribunal for adjudication.

Reference reads as under:

"Whether the action of the Management of Military Dairy Farm, Dehradun in terminating the services of Sri Bal Yogeshwar ex Temp. Status Casual Labour is legal and justified? If not, to what relief he is entitled?"

2. Claim statement was filed by the workman. Management also filed written statement, a copy of which was furnished to the workman on 12-7-2000. Since then the workman did not appear. The workman, Bal Yogeshwar, gave in writing to the management showing his unwillingness to pursue this dispute. This fact is brought to notice by the management through its letter dated 17-1-2001.

3. Registered notices were sent also, to the workman from this Tribunal on 29-9-2000, 23-10-2000, 14-11-2000,

21-12-2000 and 22-1-2001, but no response came from him. In view of the said facts, it is not possible to adjudicate the case on merit and the reference is returned unadjudicated.

4. Award accordingly.

RUDRESH KUMAR, Presiding Officer

LUCKNOW
9-2-2001.

नई दिल्ली, 26 फरवरी, 2001

का.आ. 626—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मिलिट्री डेयरी फार्म के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण लखनऊ के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 26-2-2001 को प्राप्त हुआ था।

[सं एल-14012/33/99-आई आर (डी यू)]
कुलदीप राय वर्मा, डेस्क अधिकारी

New Delhi, the 26th February, 2001

S.O. 626.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour Court, Lucknow as shown in the Annexure in the Industrial Dispute between the employees in relation to the management of Military Dairy Farm and their workman, which was received by the Central Government on 26-2-2001.

[No. L-14012/33/99-IR(DU)]
KULDIP RAI VERMA, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT, LUCKNOW

Presiding Officer : Rudresh Kumar.

ADJUDICATION

I.D. No. 145/2000 (Old No. 239/99)

BETWEEN

Ram Naresh,
C/o B.M.S., 32,
Chakrata Road,
Dehradun.

AND

Officer Incharge,
Military Dairy Farm,
Dehradun

AWARD

By reference No. L-14012/33/99/IR(DU) dated 3-8-1999, the Central Government in the Ministry of Labour, in exercise of powers conferred by clause (d) of sub-section (1) of Section 10 I.D. Act, 1947 made over this industrial dispute between Ram Naresh and Officer Incharge, Military Farm, Dehradun to the CGIT-cum-Labour Court, Kanpur for adjudication. Later, this dispute was transferred to this Tribunal for adjudication.

Reference reads as under :

"Whether the action of the management of Military Dairy Farm, Dehradun in terminating the services of Shri Ram Naresh, Ex-Temp. status casual labour is legal and justified? If not, to what relief the workman is entitled?"

2. Despite issuance of registered notices, on 29-9-2000, 23-10-2000 and 14-11-2000, the workman failed to appear and file claim statement. On 15-12-2000, this case was taken up at camp court, Dehradun. The management filed an application annexed with signed application of Ram Naresh. His unwillingness to contest the case is mentioned in the application. A notice was ordered to be sent, intimating the said facts, to the workman and in compliance of the order, notice was issued on 21-12-2000 and again on 22-1-2001. However, the workman, despite registered notices, failed to appear and file claim statement. Adjudication of reference, in absence of claim application, is not feasible. Accordingly, the reference is returned without adjudicating on merit.

3. Award accordingly.

9-2-2001.

Lucknow,

RUDRESH KUMAR, Presiding Officer

नई दिल्ली, 26 फरवरी, 2001

का.आ.627—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार हवी विहिकलस् फैक्ट्री के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण चेन्नई के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 26-2-2001 को प्राप्त हुआ था।

[सं. एल-14012/43/98-आई आर (डी यू)]

कुलदीप राय वर्मा, डेस्क अधिकारी

New Delhi, the 26th February, 2001

S.O. 627.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal/Labour Court, Chennai, as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Heavy Vehicles Factory and their workman, which was received by the Central Government on 26-2-2001.

[No. L-14012/43/98-IR(DU)]
KULDIP RAI VERMA, Desk Officer
ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL, TAMIL
NADU CHENNAI

Wednesday, the 31st day of January, 2001

PRESENT :

Thiru S. R. Singharavelu, B.Sc. B.J., Industrial Tribunal,

Industrial Dispute No. 40 of 1999

(In the matter of dispute for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947 between the Workman and the Management of Heavy Vehicles Factory, Avadi.)

BETWEEN

Sri M. Ramanathan
No. 1 Bhujanga Rao Lane,
Radha Nagar,
Chennai-600044.

AND

The General Manager,
Heavy Vehicles Factory,
Avadi,
Chennai-600054.

REFERENCE :

Order No. L-14012/43/98/IR(DU) dated 16-2-99 Ministry of Labour, Govt. of India, New Delhi.

This dispute coming on for final hearing on Wednesday, the 17th day of January, 2001, upon perusing the reference, Claim and Counter statements and all other material papers on record and upon hearing the arguments of Tvl. S. R. Rajagopal, S. K. Raghunathan and V. Vishnuvijayan, advocates appearing for the workman and of Thiru M. K. Jayakaran, Addl. Central Government Standing Counsel appearing for the Management and this dispute having stood over till this day for consideration the Tribunal made the following

AWARD

The Govt. of India has referred the following issue for adjudication by this Tribunal :

"Whether the Management of Heavy Vehicles Factory, Avadi, Chennai is legal and justified in removing Sri M. Ramanathan, Machinist 'B' from his services and if not to what relief the workman is entitled?"

2. The main averments found in the Claim statement of the petitioner are as follows :

The petitioner was a Machinist-B in the Heavy Vehicles Factory, Avadi. He joined the Factory on 27-12-1965. He was elected as a member of the Works Committee and was also elected as a Loans Committee Member in 1966. The petitioner was the Treasurer of the Heavy Vehicles Factory Employees' Union from 1966. The petitioner was suspended from 11-12-1970, pending certain disciplinary action. A Charge memo was issued to him, listing out certain charges. The charges were as follows : (i) Committed acts amounting to continued and habitual negligence of work ; (ii) committed acts amounting to habitual absence from work spot without leave and habitual late attendance; (iii) committed acts violative of security standing instructions which prohibit inter alia meetings and/or group discussions within factory premises; (iv) committed acts amounting to inciting others to desist from doing their duties and (v) committed acts unbecoming of a Government servant amounting to gross misconduct. The main charges against the petitioner is that of frequent absenteeism from workspot, late attendance, group meetings/discussions within factory premises and inciting workers to desist from doing their duties. An enquiry officer was appointed. It was an Assistant Manager, who was far inferior to the General Manager of the Heavy Vehicles Factory who is the Disciplinary Authority. The Enquiry Officer was also subordinate to the General Manager (Light Machine Shop) who was a witness in the case. The enquiry officer cannot be said to have been conducted in a fair and proper manner. The petitioner made a request to examine the General Manager of the factory as a defence witness. But the request to examine him was turned down by the enquiry officer. The respondent was in a position of witness in respect of certain charges. Being in a position of a witness, he is not competent to pass the final order of removal from service. The findings of the disciplinary authority vitiated as he concurs with the finding of the enquiry officer. The petitioner prays to pass an award holding that the removal of the petitioner from service by the respondent is not justified.

3. The main averments found in the Counter statement of the respondent are as follows :

At the outset the respondent considers it fit to reiterate that Heavy Vehicles Factory, Avadi is one among the I.O. Fs and it has been decided in a case that the activities of I.O.Fs cannot be considered as 'industry' under the I.D. Act. In the case of Bangalore Water Supply and Sewerage Board Vs. A.J. Rajappa (ATR 1978 SC), Hon'ble Supreme Court held that the establishment performing sovereign functions shall be excluded from the provisions of the term 'Industry' as given an Industrial Disputes Act, 1947. This was again affirmed in its judgement in the case of G.M. Telecom Vs. Srinivasa Rao and others reported in 1997 V of 8 See page 767. Also Sec. 13 B of the I.D. (Amendment) and Miscellaneous Provisions (Act 1956, Act No. 36/1956). In view of the above, the proper forum to agitate any matter pertaining to service condition is the Central Administrative

Tribunal. The petitioner is governed under the provisions of FR & SR, CCS (CCA) Rules 1965 and CSR. Hence it is prayed that the dispute referred by the petitioner is not within the jurisdiction of the Industrial Tribunal. It is submitted that the petitioner is an ex-Central Government servant covered under CCS (CCA) Rules and as per the provisions of the rule, the petitioner was issued Charge sheet and given reasonable opportunity of defending his case during the course of Court of Inquiry proceedings as laid down in CCS (CCA) Rules 1965. As a matter of procedure, the petitioner was given a Show cause notice. The petitioner was given reasonable opportunity and natural justice in dealing with his case and cannot term the order of removal from service as victimisation. The remedy available to this petitioner was to approach the High Court and that too within a reasonable period of time. Even if the date of application to the Regional Labour Commissioner during 1989 is taken, the application is hopelessly barred by limitation because 18 years have lapsed. The petitioner has to abide by the Security Standing Instruction, CCS (Leave) Rules etc. and cannot claim exemption from rules on the pretext of being so called union representative of unrecognised union. The respondent prays to dismiss the petition on the ground of beyond the jurisdiction of the Hon'ble Tribunal and further pass that the petitioner has exhausted all official remedies available to him, way back during 1972 and cannot agitate after 25 years in any Tribunal or any other appropriate judicial authority being time barred.

4. On behalf of petitioner, WW1 Thiru M. Ramanathan has been examined and Ex. W1 to W13 were marked. On behalf of respondent, MW1 Thiru P. Surendran has been examined and Ex. M1 to M5 were marked.

5. The Point for consideration is whether the Management of Heavy Vehicles Factory, Avadi, Chennai is legal and justified in removing Sri M. Ramanathan, Machinist 'B' from his services and if not to what relief the workman is entitled?

6. The Point : The petitioner was employed as Machinist 'B' with the respondent. He was appointed in December 1965. He was subsequently elected as Works Committee Member and Secretary Loans Committee. He happened to be the treasurer of Heavy Vehicle Factory Employees Union. He was also a Loans Committee Secretary to sanction loan to the employees of the factory.

7. On 11-12-1970 a Charge Memo was issued to him through Ex. W3 (Ex. M2). On 21-12-70, he had given an explanation through Ex. M4. Not satisfied with the explanation a enquiry was ordered. The proceedings of the Enquiry authority was marked as Ex. W5. It was made as per Rule 16 of CCS (CCA) Rules 1965. There was an Order of dismissal dated 27-2-71 through Ex. W7 (Ex. M4). Subsequently on 8-3-71, the petitioner had made an appeal Memorandum through Ex. W9 which was also rejected by the Under Secy. of Govt. of India through Ex. W10 dt. 21-2-72. Thus the petitioner was removed. The charges are : (1) that the said Ramanathan while functioning as Machinist 'B' committed acts amounting to continued and habitual negligence of work; (ii) that he has committed act amounting to habitual absence from work spot without leave and habitual late attendance; (iii) that the petitioner had committed acts violative of Security Standing Instructions which prohibit meetings or group discussion within the factory premises (iv) that the petitioner committed acts amounting to inciting others to desist from doing their duties and (v) that he committed acts unbecoming of a Government Servant amounting to gross misconduct. Annexure-II of Ex. M3 contained details of the alleged misconducts. The said Charge sheet was issued by Major General K. M. Kini, General Manager. The enquiry was conducted by Mr. W.I. Willington, Asst. Manager.

8. Before going into the alleged irregularities in the enquiry against the misconduct, both the counsels argued much upon the question of jurisdiction. The learned counsel for the Management contended Section 13(B) of the I.D. (Amendment) and Miscellaneous Provisions (Act 1956 Act No. 36/1956) exempts certain industries, from its jurisdiction. Section 13(B) of the said Act read as follows :

"13-B—Act not to apply to certain Industrial Establishments :

Nothing in this Act shall apply to an industrial establishment in so far as the workmen employed therein

are persons to whom the Fundamental and Supplementary Rules, Civil Services (Classification, Control and Appeal) Rules, Civil Service (Temporary Service) Rules, Revised Leave Rules, Civil Service Regulations, Civilians in Defence Service (Classification, Control and Appeal) Rules, Indian Railway Establishment Code or any other rules or regulations or that may be notified in this behalf by the appropriate Government in the Official Gazette apply."

9. Reliance was also placed upon AIR 1978 Supreme Court (Bangalore Water Supply and Sewerage Board Vs. Rajappa, wherein it was held that the establishment performing sovereign functions shall be excluded from the provisions of the term 'industry' as given in I.D. Act, 1947. But the learned Counsel for the Workmen, relied upon 1994 11 LLJ 665 which had followed the verdict in 1986 Calcutta I.C. page 1269. Reliance was also placed upon 1995 1 LLJ 994, wherein it was held as follows:

"Even in a department discharging sovereign function if there are units, which are industries and they are substantially severable, then they should be considered to come within the fold of Section 2(j) of the Industrial Disputes Act. The Central Ordnance Depot, being a severable unit of Defence Department and is carrying on a systematic activity with the cooperation of employees and employer, thus it is an Industry within the meaning of Sec. 25-J."

Thus it is settled law that even in departments discharging Sovereign functions if there are units which are severable they can be considered within Section 2(j). In the later judgement Central Ordnance Dept. of Union of India itself was a party and it was held the employees thereunder would be covered under Section 2(j) and that the management would be called as an 'Industry'. The Central Ordnance Depot Union of India itself was held as an Industry. This respondent also of that category. So this Respondent can as well be called as an Industry for the purposes of this issue. Therefore, the contention that this Court has no jurisdiction is not acceptable.

10. The next point that was urged on the side of the management is that for the conduct of petitioner which occurred on 11-12-70 the penalty was passed on 27-2-71 and that it was some where in 1989 that the Regional Labour Commissioner has enquired this matter. Therefore, it was argued that the cause cannot be agitated after 18 long years. For this purpose, the learned Counsel for the Petitioner relied upon AIR 1999 Supreme Court 1351 wherein the following was held :

"The provisions of Art. 137 of the Schedule to Limitation Act, 1963 are not applicable to the proceedings under the Act and that the relief under it cannot be denied to the workmen merely on the ground of delay. The plea of delay if raised by the employer is required to be proved as a matter of fact by showing the real prejudice and not as a merely hypothetical defence. No reference to the Labour Court can be generally questioned on the ground of delay alone. Even in a case where the delay is shown to be existing, the Tribunal, Labour Court or Board, dealing with the case can appropriately mould the relief by declining to grant back wages to the workman till the date he raised the demand regarding his illegal retrenchment/termination or dismissal. The Court may also in appropriate cases direct the payment of part of the back wages instead of full backwages."

In that case the relief was held that could be moulded as deemed fit by the Tribunal. By relying upon AIR 1994 Supreme Court 112, the learned Counsel for the Petitioner argued that in view of reinstatement which could not be given now for the petitioner, since he has attained or going to attain soon the age of superannuation, the relief can be moulded by way of grant of lumpsum compensation.

In fact, in that case it was held as follows :

"The respondent was dismissed way back on 17th November, 1967 and we are now in March 1992. We though it would be proper if the respondent is

paid a lump sum compensation in lieu of reinstatement. That was also the suggestion which came from counsel for the respondent, but she stated that the respondent should be paid 75 per cent of the backwages by way of compensation. That suggestion was not acceptable to the Learned Counsel for the appellant. We, however, thought that a lump sum payment is the most suitable solution to this dispute between the parties. Unfortunately, the counsel for the parties were not in possession of the relevant material concerning the salary of the respondent and its revision from time to time. We, therefore, have to do some amount of guess work. Keeping in mind what were the salaries in 1967 and the revisions that took place thereafter in State Services, similar revision also took place in the services, of the public sector corporations, we worked out the compensation keeping in view the rival contentions of the parties. We suggested that on our working the compensation comes to Rs. 75,000. Both the learned counsel have agreed to the suggestion that the matter may be closed on payment of Rs. 75,000 by way of compensation."

Thus, the delay also will not go against the workman. Now let us come to the main issue as to whether the petitioner had misconducted himself and that it was proved properly.

11. The evidence of MW3 culled out hereunder will go to show the infallibilities of the petitioner.

Q. Are you aware of the two letters dated 25-9-70 and 27-11-1970 issued by the G.M. to Mr. Ramanathan?

A. I am aware of it.

Q. Did Mr. Ramanathan show any improvement in his performance after the GM's warning dated 25-9-70?

A. He did not show any improvement in his production.

Q. How was his attendance with regard to being punctual and with regard to presence on the work spot?

A. He was generally coming late and absence from duty with permission (i.e.) when he is going on leave with permission.

Q. Was he leaving the workspot always with your prior permission?

A. Some times he used to go with permission and some times without permission also.

Q. After the GM's warning dated 25-9-70 had you been keeping a record of the output he was giving?

A. I used to send the record of output on day to day basis to the Manager (LMS) through Asst. Manager (LMS) and I used to have a copy of the same also.

Q. Were these figures of output, Sri Ramanathan was giving, recorded after asking him how much he had produced?

A. I used to record the same in one of the copies to be sent to Manager (LMS) through Asst. Manager (IMS). There was definite instruction from Manager (IMS) stating that I have to give the job to Sri Ramanathan in the morning and find out how many he was done by the closing hours of the factory in the evening. The instruction was also there, during any absence Group in charge Sri Nagarajan, A/F will be allotting the work as said in the above manner.

Q. Does it not then mean that Mr. Ramanathan was fully aware of the out turn he was actually giving and the out turn he was expected to give?

A. He was aware of the actual production he has to give as he was supplied with process sheet, where the time is recorded.

Q. Did Mr. Ramanathan report for duty on 11-12-70 at the right time?

A. He reported for duty at 9.00 A.M. on 11-12-70.

Q. Did you allot him work as usual on that day?

A. I called him to allot the work but he went out of the Capstan group and he came at about 10.45 A.M. to the Section speaking with operators till 10.55 A.M. He reported at 1.45 p.m. and started his work and he had done 2 components before the closing hours. He has taken permission at 12.45 p.m. to see the Chairman, Works Committee.

Q. Did he address any group of workers in the section on 11-12-70?

A. He was speaking with a group of people from 10.45 A.M. to 10.55 A.M. in the Capstan group.

Q. Did the work come to a stop in the section of part of the section as a result of Mr. Ramanathan speaking to the workers?

A. The Stoppage of work was there from 10.45 P.M. to 10.55 A.M. when Mr. Ramanathan was present and stoppage of work was also there from 12.45 P.M. to 1.15 P.M. when Mr. Ramanathan was not there in the Capstan Group.

The witnesses managed to say the same in the course of Cross-examination also. Witness No. 4 also had maintained the same as against the petitioner. Seeing through the copy of assessment of evidence contained in the proceedings of enquiry, we are able to see that the Enquiry Officer has well considered the various aspects put in the evidence and Page Nos. 1 and 11 (as mentioned at page No. 84 of the typed set) of the Proceedings of the enquiry, which will go a lot to show against the petitioner. A careful perusal and analysis of the entire evidence would only go to justify the findings given at page No. 91 of the typed set which is contained on the last page of the report of the Enquiry Officer. So, the learned Counsels argument that some of the witnesses like D.A. Pardasani, Mr. V. M. Gopalakrishnan, the 5th Witness do not speak accurately is incorrect. Stray lines of deposition should not be evaluated. A collective reading of the entire evidence of individual witnesses shall have to be weighed. If this is done the misconduct is found proved. Whether the Charge Nos. 3 to 5 speak to the same set of facts is not the question; but the question is whether the allegations are true. A perusal of the entire evidence would only go to show that the allegations have been proved, despite the fact that Charge Nos. 3 to 5 are interlinked.

12. The Learned Counsel for the Workman contended that Mr. Willington, the Enquiry Officer was only Subordinate to Mr. Kini, the General Manager who actually issued the Charge Sheet. The rule is that any Officer Superior to the workman has to conduct the enquiry. There is no rule that Charge Sheet should not be issued by the General Manager or that Asstt. Manager should not be Enquiry Officer. No such provision in the Standing Order or Service Rules was pointed out and again the non-examination of the Manager may not matter much because the Manager himself has issued a Charge Sheet and he is the Head of the Office who even if examined may only endorse the view of actual witnesses of the occurrence. Further the General Manager had not witnessed anything so as to speak against the charges. So the non-examination of the General Manager is not fatal.

13. By evaluating the entire evidence, I am of the view that an occupier of the so many office bearership in the Union can never be exempted from adherence to the Conduct Rules and he can never be taken exemption from co-employees. Since the misconducts are found proved I do not want to interfere in the punishment also as circumstances justify the same. Strict discipline shall have to be adhered in places of defence workshops and in default it may endanger the security of the nation itself.

14. Therefore, the Management of Heavy Vehicles Factory, Avadi, Chennai is legal and justified in removing Sri

M. Ramanathan, Machinist 'B' from his services. Award passed accordingly. No costs.

Dated at Chennai, : this 31st day of January, 2001.

S. R. SINGHARAVELU, Industrial Tribunal.
I.D. No. 40/99

Witnesses Examined

For Petitioner/Workman

VW1 (Proof affidavit)—Chief Cross M. Ramanathan.

For Respondent/Management

MW1 : Th. P. Surendran (Proof affidavit)

DOCUMENTS MARKED

For Petitioner/Workman

Ex. W1 : Govt. of India Order No. L-14012/43/98 IR (DU) dt 16-2-99 (i.e. Reference).

Ex. W2 : The Supersedes Part I order 691 dt. 21-10-70.

Ex. W3 : (Charge Sheet) Memorandum dt. 1-12-70.

Ex. W4 21-12-70 : Letter of M. Ramanathan, Machinist (under suspension) Explanation to General Manager, H.V.F. Avadi.

Ex. W5 : Proceedings of the Enquiry Authority.

Ex. W6 29-7-71 : Letter of M. Ramanathan to the Secretary, Ministry of Defence—Reinstatement appeal submitted.

Ex. W7 27-2-71 : Letter issued by General Manager, H.V.F. regarding Imposition of the penalty of removal.

Ex. W8 18-2-71 : Letter of M. Ramanathan to the General Manager H.V.F., Madras-54 regarding Appeal representation.

Ex. W9 8-3-71 : Letter to M. Ramanathan by General Manager H.V.F. regarding Appeal.

Ex. W10 21-2-72 : Appeal dated 29-7-71 rejected by Under Secretary to Govt. of India.

Ex. W11 2-5-72 PART-II ORDER reg Termination of Service under General Civil Service.

Ex. W12 : Discussion and Subsequent order relating to Labour situation in H.V.F. (Minutes of Meeting).

Ex. W13 23-8-74 : Letter by A.I.D.F. to the General Manager, H.V.F. regarding Harassment in H.V.F.

Documents of Management

Ex. M1 Chapter 21 : Establishment and Functions of Central Administrative Tribunal, The Administrative Tribunal Act, 1985 (No 13 of 1985).

Ex. M2 1-12-70 Charge sheet to Mr. M. Ramanathan

Ex. M3 6-2-71 : Disciplinary proceedings under rule 14 of Central Civil Service

Ex. M4 27-2-71 : Imposition of penalty.

Ex. M5 4-3-71 Appeal made by Mr. Ramanathan Workman.

नई दिल्ली, 1 मार्च, 2001

का.आ. 628.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मीनियर सुपरिन्टेन्डेंट आफ पोस्ट आफिसेस के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्विष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नागपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 1-3-2001 को प्राप्त हुआ था।

[मं. एल-40011/22/99-आई आर (डी यू)]

कुलदीप राय वर्मा, डेस्क अधिकारी

New Delhi, the 1st March, 2001

S.O. 628—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour Court, Nagpur, as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Sr. Supdt. of Post Offices and their workman, which was received by the Central Government on 1-3-2001.

[No. L-40011/22 99-IR(DU)]

KULDIP RAI VFRMA, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NAGPUR

PRESENT :

Shri B. G. Saxena, Presiding Officer.

Reference No. CGIT : 47/2000

Employers in relation to the Management of
Sr. Superintendent of Post Offices

AND

Shri Suresh K. Mute

AWARD

The Central Government, Ministry of Labour, New Delhi, by exercising the powers conferred by clause (d) of sub section (1) and sub section 2(A) of section 10 of the Industrial Dispute Act, 1947 has referred this dispute for adjudication vide Order No. L-40011/22/99-IR(DU) dated 18-02-2000 on the following schedule.

SCHEDULE

"Whether the action of the management of Senior Supdt. of Post Offices, Nagpur City Division, Nagpur in not regularising the services of Sh. Suresh K. Mute, Daily Wages Postman is legal and justified? If not, from what date he is to be regularised as Postman or Gr. 'D' official?"

The workman Shri Suresh K. Mute had submitted his statement of claim that he was working as daily wages postman on 01-05-81. His services were terminated on 06-07-83 by the management of Post Office. He removed to C.G.I.T. Court at Jabalpur and he was re-instated with full back wages vide Award dated 25-09-86. The management challenged the Award in Writ Petition No. 122 of 87. The Writ Petition of the management was dismissed on 27-2-87.

The workman again made representation for regularising his services, but his request was not considered. He moved the Central Administrative Tribunal and on 20-09-94 the Central Administrative Tribunal passed the order that the workman Sh. Suresh K. Mute be given two chances for appearing in the qualifying examination by relaxing his age. His services shall not be dispensed with till he has availed of the said two additional chances to qualify in the prescribed examination in terms of 1968 Recruitment Rules. If he qualifies the examination he should be considered for regularisation against the post of Postman and not otherwise.

The workman did not qualify the examination. He has prayed that he has completed more than 240 days service, hence he should be regularised. The management contested the case that the workman was given opportunity to qualify the examination two times, in compliance with the order of the Central Administrative Tribunal in O.A. No. 20/09/94. As he did not qualify the test, he was not regularised. He was a daily wages postman. He is not entitled for regularisation.

Both the parties have submitted their Written Arguments and documents. The counsel for the workman argued that in O.A. No. 481/90 Sh. Suresh K. Mute Vs Union of India, the workman was given two opportunities to qualify the departmental examination, on 20-10-97 the Central Administrative Tribunal passed the order that the service of the workman has been terminated on 30-10-96. The

workman has made representation to Competent Authority on 04-11-96 that daily wages employees A. B. Gabhane, P. M. Mohadikar, Shyam Kahile, who were junior to him are working on the post of postman. No reply has been given by the management.

The management was directed to consider the request made by the applicant and pass a speaking order within two months as the workman who had made representation that three juniors to him are working on the post of postman.

I have considered the affidavits and documentary evidence produced in this case by both the parties.

It is admitted to the workman that he did not qualify the examination though he was given two opportunities by the department. In the order dt. 20-10-97 also the Central Administrative Tribunal did not pass any order that his services should be regularised. The Central Administrative Tribunal only gave opportunity to the management to pass a speaking order within two months.

The representative of the management has argued that the services of the workman had been terminated as he was not a regular employee. He was on daily wages. The management has terminated his service on 28-08-2000. The workman is not in the service of the management, hence he cannot be regularised.

It is argued that two chances were given to the workman and when he failed to qualify the examination, his services were terminated on 31-10-96. This order dt. 31-10-96 was not set aside by the Central Administrative Tribunal. The management was only directed to consider the representation of the workman. Due to wrong interpretation of order dt. 20-10-97, the workman was again engaged as a daily wages postman w.e.f. 20-11-97.

When the mistake came to the notice of the Superior Authorities that the order of the Central Administrative Tribunal has been misunderstood, the services of the workman were terminated vide letter dt. 28-08-2000.

In view of the above facts there is no illegality in the order of the management. The services of the workman Sh. Suresh K. Mute were not regularised as he could not qualify the written test though he was given opportunity twice according to the orders of the Central Administrative Tribunal dt. 20-09-94.

ORDER

The action of the management of Senior Supdt. of Post Offices Nagpur City Division, Nagpur in not regularising the services of Sh. Suresh K. Mute, Daily Wages Postman, is legal and justified. He is not entitled to any other relief.

The reference is answered accordingly.

B. G. SAXENA, Presiding Officer

Date : 07-02-2001

नई दिल्ली, 1 मार्च, 2001

का. 629.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अन्वय में, केन्द्रीय सरकार सुपरिस्टेण्डेंट ग्राफ पोस्ट आफिस के प्रबंधक के संबंध में निम्नलिखित विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण के पक्ष को प्रकाशित करती है, जो केन्द्रीय सरकार को 1-3-2001 को प्राप्त हुआ था।

[सं. एन-40011/24/99-आई आर (डी यू)]

कुलदीप राय वर्मा, डेस्क अधिकारी

New Delhi, the 1st March, 2001

S.O. 629.—In pursuance of Section 17 of the Industrial Dispute Act 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour Court, Chennai as shown in the

Annexure in the Industrial Dispute between the employers in relation to the management of Supdt. of Post Offices and their workman, which was received by the Central Government on 1-3-2001.

[No. L-40011/24/99-IR(DU)]
KULDIP RAI VERMA, Desk Officer
ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT, CHENNAI

Wednesday the 14th February, 2001

PRESENT :

K. Karthikeyan, Presiding Officer.

Industrial Dispute No. 41/2001

[In the matter of the dispute for adjudication under Section 10(1)(d) and sub-section 2(A) of the Industrial Disputes Act, 1947 between the Workman and the Management, the Superintendent of Post Offices, Mayiladuthurai Division, Mayiladuthurai.]

BETWEEN

Shri V. Thirugnanam,
Thiruvellur.

Claimant/I Party

AND

The Superintendent of
Post Offices,
Mayiladuthurai.

Management/II Party.

APPEARANCES :

For the Workman : Sri S. Raveendran, Advocate.

For the Management : Sri K. Sambasivam, Addl. Central
Government Standing Counsel.

REFERENCE :

Order No. L-40011/24/99/IR (DU) dated 17-2-2000,
Government of India, Ministry of Labour, New
Delhi.

This dispute originally referred to Tamil Nadu State Industrial Tribunal, Chennai for adjudication and was taken on file in that Tribunal as I.D. No. 34/2000 and subsequently transferred to this Tribunal by order of the Central Government, Ministry of Labour by its order No. G/21020/1/99-CLS II dated 28-11-2000 and on receipt of records from Tamil Nadu State Industrial Tribunal has been taken on file as I.D. No. 41/2001 on 11-1-2001.

AWARD

Schedule of reference reads as follows :—

"Whether the demand of the workman Sri V. Thirugnanam for employment as FDDA/EDMC is justified? If so, to what relief the concerned workman is entitled?"

On taking this reference for the industrial dispute on file on receipt of records from the Tamil Nadu State Industrial Tribunal, Chennai and on perusal of the records, it is noticed that the I Party workman is being represented by the Additional Central Government Standing Counsel. Notices by Registered Post with acknowledgement card were sent from this Tribunal to counsels on either side for the hearing dated 23-1-2001.

On 23-1-2001, the counsel for the I Party alone was present. Both the Party and the Additional Central Government Standing Counsel for the II Party were not present. The counsel for the I Party represented to this Tribunal that the I Party has got employment as per his demand made with the II Party

Management and he can say not pressed this dispute, on receipt of his written communication from his client, the I Party herein and he prayed time for the same. Hence, the matter has been adjourned to this day the 14th February, 2001.

When this case came up for hearing today, one Mr. Peryiaswamy, Inspector of Post Offices representing the II Party and the counsel for the I Party appeared and the II Party's representative filed a memo with a copy of the letter addressed to the Additional Central Government Standing Counsel on record for the II Party's by the II Party himself dated 13-2-2001 and representing that I Party has been given employment and joined duty on 13-10-2000 itself and in that circumstances, it is requested that reference by this industrial dispute may kindly be closed. A copy of the memo was given to the counsel for the I Party. He has also represented to this Court that in view of the fact the I Party, his client has been provided with the employment by the II Party Management, he has no objection for closing this industrial dispute reference as no dispute exists now between the parties. The memo filed by the II Party and the enclosure of the memo are duly perused. Since the counsel for the I Party and the representative of the II Party have informed this Tribunal that the reference can be closed in view of the memo filed, the memo has been recorded after perusing the same with its enclosure. Under such circumstances, this Tribunal comes to the conclusion that there is nothing to be adjudicated upon in respect of the industrial dispute referred to in the reference of the Government referred to above.

In the result, an award is passed holding that there is no dispute now exists between the I and II Party as referred to in the Schedule of reference and hence the reference is closed as there is no dispute exists now between the parties concerned. No cost.

Dictated to the stenographer taken down and transcribed by him, corrected and pronounced by me in open court on this day the 14th February, 2001.

K. KARTHIKEYAN, Presiding Officer

नई दिल्ली, 1 मार्च, 2001

क्रा. आ. 630.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी.बी. एम. बी. सुन्दरनगर के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण चण्डीगढ़ के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 1-3-2001 को प्राप्त हुआ था।

[सं. एल-42011/16/86-डी-II (बी)]

कुलदीप राय वर्मा, डेस्क अधिकारी

New Delhi, the 1st March, 2001

S.O. 630.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour Court, Chandigarh, as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BBMB, Sundernagar and their workman, which was received by the Central Government on 1-3-2001.

[No. L-42011/16/86-D.II(B)]

KULDIP RAI VERMA, Desk Officer

ANNEXURE

BEFORE SHRI B. L. JATAV, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT, CHANDIGARH

Case No. I.D. 2/90

1. The General Secretary,
BBMB Karamchhari Sangh,
Office No. 1011/S-2,
BSL Colony,
Sundernagar,
Himachal Pradesh.
2. The General Secretary,
BBMB Workers Union,
Sundernagar Township,
Distt. Mandi.
3. The General Secretary,
BSL/BBMB Transport Workers' Union,
Q No. 773/S-2, Sundernagar,
Distt. Mandi,
Himachal Pradesh.
4. The General Secretary,
Beas Sutlej Link Workers' Union,
Sundernagar Township,
Distt. Mandi,
Himachal Pradesh.

Versus

1. The Chief Engineer,
BSL Project,
BBMB Complex,
Sundernagar,
Himachal Pradesh.

... Workmen/Union

... Management

APPEARANCES:

For the workman: Sh. Dhani Ram
For the management: Sh. D. L. Sharma

AWARD

(Passed on 17th January, 2001)

The Central Government vide Gazette Notification No. L-42011/16/86-D.II(B) dated 27th of December 1989 has referred the following dispute to this Tribunal for adjudication:

"Whether the following demands of BBMB Karamchhari Sangh are justified? If yes, what relief the workmen concerned are entitled to?

DEMANDS

1. Whether the work charged employees in BBMB at Sundernagar may be regularised as permanent workman and granted all such benefits which are given to the permanent regular employees?
2. Whether the duty hours of the fire fighting staff in BBMB at Sundernagar may be fixed as 8 hours?"
2. The case of the workmen in brief is that they were the employees of BBMB working at Sundernagar. Prior to joining the services in BBMB, they were working in the BSL project under the control of Beas Construction Board. prior to Beas Construction Board, they were working in the project of Bhakra Dam which was under the control of Central Government. After the completion of Bhakra Dam these workmen were retrenched and they were taken in service in Beas Sutlej Link Project. When the whole project completed BBMB was constituted for the maintainance and operation of the plants, canals, dams, and power houses. Therefore, senior persons from BCB (Beas Construction Board) were taken in BBMB for maintainance and operation of power houses and other establishments with continuity of service. Their past services were considered for the purpose of pay protection and further promotion.

3. The unions of employees put demands before BBMB that they were working as workcharged workmen so they

should have been made permanent. It was also demanded that all the work charged workmen should have been declared at par with the permanent employee's for pensionary benefits w.e.f. 1-5-1979. Besides this demand 15 demands were also made by the Unions which have been narrated at page 6, 7 & 8 of the claim statement under the head demand No. 1. The second demand relates to the fixation of duty hours for the fire fighting staff. The staff member of fire fighting wing were compelled to work for more than 8 hours. The demand was that their duty hours be fixed upto 8 hours. In the last paragraph of the claim statement the workmen have made prayer that all the workmen be declared permanent workmen and the incidental benefits be given to them at par with the permanent regular employees. They should be given such benefits as are being given under the Central Government rules or Punjab State Rules to their workmen. Another prayer is that the overtime allowance for 48 hours in a month be allowed to Fire fighting staff w.e.f. 1-5-1979 and the arrears of overtime allowance be paid as per their pay.

4. In this case, the written statement has been filed by the management respondent No. 1, respondent No. 2 and 3 have not filed their written statement. Preliminary objection has been raised in the written statement relating to the maintainability of the reference and the misjoinder of the parties. It has been alleged that the reference has been made by appropriate Government without giving any opportunity of being heard to the management, therefore, the reference is not binding on it in the eye of law. The jurisdiction of this Tribunal has also been challenged by Respondent No. 1.

5. It has been alleged that BCB and BBMB are different bodies. The BBMB is not the successor of BCB, therefore, the respondent No. 2 (Chairman BBMB Chandigarh) is not a necessary party. Union of India is also unnecessary party, therefore, the defect of misjoinder has taken place in this case.

6. It has also been alleged that the claim has not been filed by the recognised union. The claim statement signed by Dhani Ram who is not an authorised representative of the workmen. The management gave option to the work-charged workmen for their regularisation in regular establishment under Section 9-A of I.D. Act 1947. Majority of the workmen opted for the scheme of regular establishment but some of the workmen did not opt for regularisation, thus they filed this claim statement. The unions are not the representative of majority of the workmen. Therefore, this reference is not maintainable. The BBMB is not the successor of BCB. BCB was controlled by the Central Government BBMB has been constituted under Section 79 of Punjab Re-Organisation Act 1966 which is an independent statutory body. Therefore, both authorities are of different nature. The Award passed in I.D. 2/C of 1971 is not binding on BBMB because it was not made a party to that proceeding. The management of the BBMB at its own volition took over the requisite number of workmen in different categories in accordance with the directions contained in the Award given in case No. 2C of 1971 read with the provisions of Section 25F of I.D. Act 1947. These workmen were taken over from the surplus workmen of BCB during the period from 1-5-1979 to 30-3-1984 in workcharged capacity for the operation and maintainance of the completed components of BSL Project transferred to the BBMB. These workmen were taken over on specific terms and conditions which are given at para No. 5 of the written statement. Their services rendered in BCB were considered for the purpose of seniority and their pay was protected. It has been alleged by the management, that the workcharged employees of BSL Project have already been converted from workcharged to category of regular establishment after giving them proper notice U/S 9-A of the I.D. Act. Those workmen who have accepted the condition of regularisation, they have been made regular and have been taken on regular establishment of BBMB. The petitioner workmen have not opted for the scheme of regularisation for their conversion from workcharged category to regular category of establishment at their own volition. The repeated opportunity was given to the remaining workcharged employees to exercised their option for their conversion from workcharged to regular establishment but they did not submit their option unconditionally, therefore they could not be made regular from workcharged category to regular establishment. The workmen brought on regular establishment are governed by the Punjab Civil Service Regulation which are

applicable in the Bhakra Beas Management Board to its regular employees. Those who have not opted for regular establishment are governed by Certified Standing orders. They are entitled to get the benefits under contributory provident fund scheme whereas the workmen of regular establishment are entitled to get the benefit of pensionable scheme. Thus most of the workcharged employees have been taken on regular establishment. Consequently the reference is not maintainable.

7. With regard to the demand No. 2 it has been alleged in the written statement that the requisite number of fire fighting staff is being recruited to carry out the duties of fire fighter. The fire fighting staff will be put in 8 hours shift duty for this purpose efforts are being made to recruit the additional staff. No workman was compelled to work for more than 8 hours in a working day. The duty of fire fighting staff was intermittently fixed for 8 hours within a working day.

8. In the concluding paragraph it has been prayed that in the light of the averments made in the written statement, the reference be answered accordingly.

9. The workmen has filed replication consisting of 24 pages. In the replication the main controversy between the parties has been narrated, whereas the claim statement has been drafted so cleverly that the real object of filing this claim can not be inferred. On going through the replication, the main controversy in brief is that there are two establishments in BBMB. One establishment is regular establishment which is governed by Civil Service Regulation of Punjab State. Other establishment is industrial one which is governed by Certified Standing Orders. Under the Certified Standing Orders the age of superannuation for class-III and IV employees is 60 years. Under the Civil Service Regulation of Punjab State, the age of superannuation is 58 years but under these rules the services are pensionable. But under the certified Standing Order the services are non-pensionable and employees get CPF with gratuity. The demand was raised by the petitioner/union to take the workmen on regular establishment. The management gave offer of option for pensionable scheme under CSR of Punjab State. Most of the employees exercised their option in favour of pensionable scheme and they were taken on regular establishment but some of the employees of the BBMB did not exercise their option because they were of the opinion that the age of superannuation should not have been reduced from 60 years to 58 years. Under these circumstances, the dispute came into being.

10. It has been contended by the union that the service condition of the employees can not be changed by the management without giving notice to the union. The demand for regularisation was raised by the Union before A.I.C.C. The Proceedings were pending. During the pendency of the proceedings, the management changed the conditions of service without getting any approval from the competent authority U/S 33—of I.D. Act. The verdict given in the Award of case No 2C of 1971 is binding on the management and it is bound to make regular all the employees of the BBMB without making any change in certified standing orders. The action taken by the management is unjustified and illegal. Other averments made in the claim statement have been reiterated in the replication by the union which need not to be mentioned here again.

11. Both parties have led oral and documentary evidence in this case. The Union have examined Suraj Kishan, WW1, General Secretary Satbir Sarad WW2, General Secretary Chander Bhan WW3, President M. M. Haque and Legal Advisor Dhani Ram WW5. The affidavits of deponents and documents have been exhibited as Ex. W1 to Ex. W27. The management has submitted the affidavit of Executive Engineer, B. M. Chaudhary MW1 Senior Clerk, Surinder Kumar MW2 and Executive Engineer S. M. Bhainagar Ex. MW3. All the witnesses have been cross-examined by the parties. All the witnesses of the Union have deposed that prior to joining services in BBMB they were working in Beas Construction Board. They were taken in service in compliance of the award given in case No 2C of 1971. They were workcharged employees of BCB. In the same category, they were taken in BBMB with continuity of service and their pay was protected. They earned increments considering

their period of previous service. They requested the management for their regularisation and to put them at par with regular staff members. But the management changed the age of superannuation from 60 years to 58 years. Thus the management committed illegality in this respect. All the witnesses have been cross-examined by the representatives of the management. The witnesses of the management have deposed that the employees of regular establishment are being governed by CSR of Punjab State. The Union demanded that the workcharged employees should have been placed at par with regular employees. Therefore, the offer was given to all the workcharged employees for their regularisation. Option was given to them to accept the CSR of Punjab State or to deny the offer. The witnesses of the petitioner have admitted in their cross-examinations that those employees who had opted for CSR of Punjab State have been made regular and have been taken on regular establishment of BBMB. Under State of Punjab Rules, the services are pensionable. General Secretary BBMB Karamchhari Singh Sundernagar Satbir Sarad WW2 has admitted in his cross-examination that after raising the demand of regularisation, the management, had accepted the demand of regularisation of services. All the witnesses of the petitioner/Union have admitted that the notice under Section 9-A of I.D. Act 1947 was given to all the employees called workcharged. Under the Rule 3 of Certified Standing Order (Ex. W21), there is no category called workcharged employees. There are five categories viz. permanent, temporary, casual, apprentices and probationers. But the word "workcharged" has been used for those employees who were retrenched by Beas Construction Board and were taken in BBMB in workcharged category but they are not actually workcharged employees. They are governed by certified standing orders under the category "permanent". The witnesses of the union have admitted that all the workmen who were retrenched from the service of BCB have been working in BBMB and some of them had been retired at attaining the age of 60 years. The word "regular" has been used in claim statement and replication for those employees who are working in the regular establishment and are governed by CSR of Punjab State. Under these circumstances the question of regularisation of the services of workcharged employees does not arise. All the employees working in BBMB are permanent workmen under the definition given in rule 3(a) of Certified Standing orders and they are getting benefit under these Orders.

11. The first term of the reference relates to the regularisation. It does not relate to the dispute of the change in age of superannuation. Therefore, this Tribunal does not enforce the scope of the term of the reference. Under the provisions of Employment Standing Orders, the competent authority is Regional Labour Commissioner. Therefore, this Tribunal is not empowered to amend certified standing orders. The whole claim of the union circumscribe with the change in the age of superannuation. Therefore, this Tribunal need not to discuss this dispute elaborately. But the appreciation of evidence in brief is essential.

12. The management has submitted the copy of the representation Ex. M9 which was submitted by Satbir Sarad WW2 and Ex. M10 submitted by Chander Bhan WW3 indicate that some of the employees had not accepted the offer of opting CSR of Punjab State Rules because the age of superannuation is 58 under those service rules. The notice given by the management is the valid compliance of section 9-A of the I.D. Act 1947. The notice under this section was given to all the employees to exercise their option. It was not necessary for the management to give notice to the representative of workers' unions. In the case of Tamilnadu Electricity Federation Vs. Madras Electricity Board (1964) 2 LLJ 392 H.C. Madras, it has been held by their Lordship of the Hon'ble Supreme Court, that notice given to the workmen directly for the change of service condition U/S 9-A of the I.D. Act 1947 is valid and there is no need to give notice to the unions. Keeping in view the law laid down in the aforesaid case law, this Tribunal comes to the conclusion that the notice given by the management is not illegal.

13. The representative of the workmen/union has relied on the recommendation of Punjab 3rd Pay Commission Ex. W22. But as per rule-2 of notification dated 9-9-1988 those recommendations do not apply to the workcharged employees. These recommendations are applicable to the employees of

Punjab State. BBMB is a statutory and independent body. It has been empowered under the Punjab State Re-Organisation Act, 1966 to exercise its discretion independently.

14. The representative of the petitioner/Union has referred the rules framed under Fundamental Rules and Central Civil Services Temporary Service Rules. But these rules are not applicable in the case of those workmen who are governed by Certified Standing Orders. The case of Kesar Chand Vs. State of Punjab & Others has been cited by the representative of the Union which relates to the regularisation of work-charged employees but this case relates to the Public Works Department (B & R) of Punjab State. The employees of BBMB are not governed by any of the department of Punjab State, so this judgement does not apply in the case in hand.

15. The evidence adduced by the management reveals that CSR of Punjab State were made applicable in the case of regular establishment of BBMB. The management gave notices to the permanent employees of the BBMB to exercise their option for these rules. But the members of the petitioner Union did not exercise their option in its favour. They were governed by the Certified Standing Orders. Therefore, it is evident that there are two categories of employees working in the BBMB. One set of employees is governed by CSR of Punjab State with the benefit of pension, gratuity and GPF. Other category of employees is governed by Certified Standing Orders under which the services are not pensionable but they get the benefit of Contributory Provident Fund. Both these categories are distinct in nature. In the case of State of Rajasthan Vs. Kunjiraman (1997(1) LLN 139), it has been held by Hon'ble Supreme Court that when the persons employed, forms two separate distinctive classes and rules are framed separately for each class, it can not be said that there is a discrimination among the employees. Therefore, the employees of both the categories can not be placed at par whereas they are governed by different sets of service rules.

16. The management has raised an objection that the opportunity was not given to the management before making reference by appropriate Government to this Tribunal; therefore, the reference is not maintainable. But the reference has been made by the appropriate Government i.e. Union Ministry of Labour. The Chief Engineer of BBMB was made a party, therefore, it can not be said that the reference is not maintainable. On the perusal of reference order it is noticed that the Chief Engineer BSL Project BBMB is a party to the dispute. The Chairman of BBMB and Ministry of Energy were not a party of the dispute before the Appropriate Government. Therefore, the respondent No. 2 and 3 are not the necessary party. Therefore, the defect of misjoinder of parties have taken place but it does not affect the claim on merits.

17. The second term of reference relates to the duty hours of fire fighting staff. It has been admitted by both the parties that the shift of 8 hours have been made for fire fighting staff w.e.f. 1-5-1991. Sufficient staff has been recruited in fire fighting wing. Ex. M17 has been submitted by the management which reveals that the members of fire fighting wing have been divided amongst three shifts. Prior to 1-5-91 the employees of fire fighting wing were called upon for discharging emergency duties and they were paid call duty allowance. The witness of the management B. M. Chaudhary MWI has deposed in this respect in his affidavit and cross-examination. The petitioner/Union has prayed for the relief of overtime allowance for the duties performed by the fire fighting staff beyond 8 hours prior to 1-5-1991. But the terms of the reference relates to the fixation of duty hours which have already been fixed by the management. Therefore, this Tribunal has not to decide the controversy of overtime allowance.

18. On the basis of the discussion made in preceding paragraphs, this Tribunal comes to the conclusion that all the workmen working in BBMB have already been made permanent workman and they are getting benefits under CSR of Punjab State being a member of regular establishment and the rest of the workmen are getting benefits under the certified standing orders. Therefore, the reference is answered that all the workmen working in BBMB (who were previously working in BCB under the category of work-charged employees and were taken in service of BBMB in the same category) have been made permanent workmen of BBMB.

Those workmen who have opted for CSR of Punjab State Rules shall get benefits under those rules and those workmen who have not opted for CSR of Punjab State shall not get benefit under these rules but shall get benefit under the certified standing order. In respect of demand No. 2, the reference is answered that the duty hours of fire fighting staff of BBMB at Sundernagar have already been fixed at eight hours. The reference is answered accordingly. Both the parties shall bear their own cost of proceedings. Appropriate Government be informed.

B. L. JATAV, Presiding Officer

Chandigarh.
17-1-2001.

नई दिल्ली, 1 मार्च, 2001

का.आ.631.—औद्योगिक विवाद अधिनियम, 1917 (1914 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार श्री बी. एम. वी. के प्रबंधन के सबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण चंडीगढ़ के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार का 1-3-2001 को प्राप्त हुआ था।

[म. ए. 42012/4/90- आई आर (डी यू)]

कुलदीप राय वर्मा, डेस्क अधिकारी

New Delhi, the 1st March, 2001

S.O. 631.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour Court, Chandigarh as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of B.B.M.B. and their workman, which was received by the Central Government on 1-1-2001.

[No. L-42012/4/90-IR(DU)]

KULDIP RAI VERMA, Desk Officer

ANNEXURE

BEFORE SHRI B. L. JATAV, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT, CHANDIGARH

Case No. ID 176/90

Sagli Ram son of Dev Raj.

C/o

General Secretary,
Nangal Bhakra Workers Union,
Kilan Area, Nangal.

...Workman.

Vs.

Chief Engineer,
Water Regulation,
B.B.M.B. Nangal Township.

Management.

APPEARANCES:

For the Workman: Shri Mehanga Ram.

For the management: Shri R. C. Ahji.

AWARD

(Passed on 22nd January, 2001)

The Central Government vide Gazette Notification No. 1-42012/4/90 IR(DU) dated 9th November, 1990 has referred the following dispute to this Tribunal for adjudication:

"Whether the action of the management of the BBMB represented through the Chief Engineer, Water Regulation, BBMB Nangal Township in terminating the services of Shri Sagli Ram, Gauge Reader w.e.f. 29-9-1987 is justified? If not, to what relief the workman concerned is entitled to?"

2. The case of the workman in brief is that he had worked in Nangal Dam Division, BBMB as gauge reader w.e.f. 1-7-1968 to 30-9-1968 and from 3-7-69 to 30-9-69. He was again appointed as gauge reader in discharge sub-division, Nangal w.e.f. 5-7-86 to 29th September, 1986 and from 7th July, 1987 to 29-9-1987. His services were terminated wrongfully and illegally on 29-9-1987. After his termination Shri Pritpal Singh and Rajender Mohan were retained in service while they were junior to the workman. After his termination Shri Ranbir Singh was appointed as gauge reader in Nangal Dam Division and he is continuing in service till date. The post of gauge reader/Daryal man (interchangeable post/designation) are still lying vacant in BBMB and fresh hands are being recruited continuously without giving any opportunity of re-employment to the workman. Thus the management has violated the provisions of Section 25-F. The workman has requested for his reinstatement in service with continuity of service and full back wages w.e.f. 29-9-87.

3. The management has submitted its written statement raising an objection that the reference of dispute made by Central Government is not maintainable. The services of the workman were terminated on the expiry of the specified period for which he was employed, in Nangal Dam Division. In Monsoon season, staff for measurement of the water level in rivulets/khuds once in a day is required to be employed in the catchment area of the Nangal Dam. For this purpose additional seasonal staff is engaged for specified period in order to inform the State Governments to take appropriate remedial measures in case of floods. Therefore, the workman was employed for specified period and after the expiry of that period his services were automatically terminated.

4. The seniority list of the employees in BBMB has been maintained by the management. Shri Ranbir Singh was appointed as gauge reader in Nangal Dam Division on compensate ground by the competent authority. Shri Rajender Mohan and Pritpal Singh were senior to the workman. Therefore, they were allowed to continue in service against the regular vacancy. In view of the circumstances as explained in written statement the claim of the workman deserves to be dismissed, with no relief.

5. It has been admitted in this case that the workman had worked in Nangal Dam Division as gauge reader w.e.f. 1-7-68 to 30-9-68 and 3-7-69 to 30-9-69. It has also been admitted that the workman had worked as gauge reader in discharge sub-division, Nangal w.e.f. 5-7-86 to 27-9-86 and 7-7-87 to 29-9-87.

6. The workman has submitted his affidavit and photocopies of the documents which have been exhibited as W1 to W5. These documents relate to his appointments in this case. The period of his employment is not disputed and his work was reported to be satisfactory during that period by the officer in charge of the sub-division. The defence of the management is that the workman was appointed during rainy season for specified period for measuring the water level in rivulets/khuds. The management has submitted the affidavit of SDO Bakshish Singh and photocopies of documents which have been exhibited as M1 to M5.

7. The documents filed by the management relate to the appointment of the workman and joining of his services as offered by the management. These documents indicate that the workman was appointed during the month of July, August and September in the years 1968, 1969, 1986 and 1987. The nature of the period of his employment indicate that he was employed in rainy season for emergent situation of water level in the rivulets in the catchment area of Nangal Dam. The contract of his employment were never renewed by the management beyond rainy season. Therefore, the termination of the services of the workman was automatic on the expiry of the specific period mentioned in his appointment letter. Therefore, the way in which his services were terminated every year does not amount to 'retrenchment' as defined in Section 2(oo) of Industrial Disputes Act, 1947. Under these circumstances the provisions of Sections 25-F, G and H do not apply in this case. Therefore, it can not be held that the services of the workman were terminated in contravention of the provisions of these Sections.

8. The witness of the management Bakshish Singh MW1 has deposed in his affidavit that during the subsequent monsoon period after 1987, the other workmen working in the

department of the management were deployed against the specific work of monsoon period. He has also deposed that no juniors to the workman has been retained in service or re-employed. In the seniority list Ex. W5, Pritpal Singh has joined his services as gauge reader on 18-11-1988 on regular basis. Rajender Mohan has also joined his services as gauge reader on 29-6-1991 and Ranbir Singh has been appointed as gauge reader on 1-4-1988. All these workmen are working in regular establishment of the management. Whereas the petitioner workman was appointed for specific period in rainy season. The witness of the management Bakshish Singh has deposed in his cross-examination that the petitioner workman was called for interview but he was found overage during the year 1991-92. There is no reason to disbelieve his statement. So, the appointment of Shri Ranbir Singh during the year 1991 does not confer any right in favour of the petitioner workman. Besides this it has been held in the preceding paragraph that the termination of the workman does not amount to retrenchment, therefore, the provisions of Section 25-G and H do not apply in this case. Therefore, he can not get any benefits under these provisions.

9. The rep. of the workman has cited the case of Narender Kumar Vs. State of Haryana (CWI No. 269/90 decided on 6-8-90) in which the case of the petitioner Narender Kumar was considered keeping in view the provisions of Section 25G of I.D. Act, 1947. But this case law is not applicable in this case because the services of the workman were terminated w.e.f. 29-9-1987. He had not completed 240 days within the 12 calendar months preceding to the date of his termination i.e. 29-9-1987. His termination does not amount to retrenchment. He has also cited the case of Balbir Singh Vs. Kurukshetra Central Cooperative Bank Ltd. and others 1989(1) All India Services Law Journal page 53 Punjab and Haryana. In this case workman Balbir Singh had worked for 240 days. Therefore, it was held by the Hon'ble High Court of Punjab and Haryana that the services of the workman were terminated illegally contravening the provisions of Section 25-F of the I.D. Act, 1947. But in this case the workman had worked w.e.f. 7-7-87 to 29-9-1987 (84) days. Therefore, he can not get any support from this case law. Consequently he can not get any relief from this Tribunal, and the reference is to be answered against the workman.

10. The rep. of the workman has argued that the management has exercised the unfair labour practice terminating the services of the workman every year. But this argument has no basis considering the facts of this case. It is evident from the evidence adduced by both the parties that the workman was employed every year during the rainy season. His contract of service was not renewed by the management and no other person was employed beyond rainy season in that particular year. Therefore, it is evident that he was employed for specific work and for specific period for seasonal requirement. Therefore this act of the management does not amount to unfair labour practice. On the contrary the action taken by the management is justified, which negative the claim of the workman.

11. On the basis of the reasons given in preceding paragraph the reference is answered that the action of the management of BBMB in terminating the services of Shri Sagli Ram, gauge reader w.e.f. 29-9-1987 is justified. Consequently, the workman is not entitled to get any relief from the management. Both the parties shall bear their own cost of the proceedings. Appropriate Government be informed.

Chandigarh,

22-1 2001.

B. L. JATAV, Presiding Officer

नई दिल्ली, 1 मार्च, 2001

का.आ. 632.—श्रीयोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार चीफ इंजीनियर सी. पी. डब्ल्यू. (इलेक्ट) नई दिल्ली व एक्सीक्यूटिव इंजीनियर (इलेक्ट), सी. पी. डब्ल्यू. डी. (सेन्ट्रल) त्रिनेगुर के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट श्रीयोगिक विवाद में केन्द्रीय

सरकार औद्योगिक अधिकरण चण्डीगढ़ के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 1-3-2001 को प्राप्त हुआ था।

[सं. एल-42012/40/89-डी-11 (बी)]

कुलदीप राय वर्मा, डेस्क अधिकारी

New Delhi, the 1st March, 2001

S.O. 632.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal/Labour Court, Chandigarh, as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Chief Engineer, C.P.W.D. (Elect.), New Delhi and Exe. Engineer (Elect.), C.P.W.D. (Central), Srinagar and their workman, which was received by the Central Government on 1-3-2001.

[No. L-42012/40/89-D.II(B)]

KULDIP RAI VERMA, Desk Officer

ANNEXURE

BEFORE SHRI B.L. JATAV, PRESIDING OFFICER
CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-
LABOUR COURT, CHANDIGARH

Case No. I.D. 10/90 Abdul Mazid son of Shri Abdul
Rehman Resident of Kursoo Rajbagh Srinagar,
J & K. Workman.

Versus

1. Chief Engineer,
C.P.W.D. Nirman Bhawan,
New Delhi.
2. Executive Engineer, (Elect.)
C.P.W.D. Central Electricity
Division, 42-A Rajbagh(X)
Srinagar, J&K.

.. Management.

APPEARANCES:

For the workman : Shri B. S. Prabhakar.
For the management : Shri Arun Walia.

AWARD

(Passed on 15th January, 2001)

The Central Government vide gazette notification No. L-42012/40/89-D-2(B) dated 11th January, 1990 has referred the following dispute to this Tribunal for adjudication:

"Whether the action of the Chief Engineer, CPWD (Elect.) R. K. Puram, N. Delhi and the Executive Engineer (Elect.) CPWD (Central) Division, Srinagar in terminating the services of Shri Abdul Mazid Seikh, Messenger is justified? If not what other relief the workman is entitled to and with what effect?"

2. In view of the pleadings made in claim statement and rejoinder the case of the workman in brief is that he had worked on daily wages from November 1986 till ending year of 1987 on different jobs continuously without any break till the order of the termination. The termination of the workman was illegal and arbitrary. Consequently the workman has been rendered jobless and unemployed. He has been facing sufferings without any fault of his own. He approached to the higher authorities but he was not permitted to work in the office. The termination of the services of the workman is illegal and arbitrary. He is entitled to be reinstated and to get the backwages as well as other benefits to which he is entitled. He has prayed for his reinstatement and backwages with cost of the proceedings.

3. In view of the written statement, the case of the management is that the workman had worked from 19-11-1986 to 26-3-1987 on contract basis as bhukari attendant. After that he had worked as messenger from

27-3-1987 to 30-4-1987 @Rs. 13.50 per day and then from 1-5-1987 to 19-10-1987 @Rs. 875 P.M. He had then worked as khalasi messenger from 20-10-1987 to 14-4-1988 @Rs. 875 P.M. The services of the workman were not terminated by the management but he left the job of his own accord. The workman wanted to apply for a suitable post and he submitted an application on 9-5-1988 for the issuance of experience certificate. The experience certificate was issued by the management. After having got experience certificate, the workman did not turn up on his duty. He left the services of his own free will. Therefore, he is not entitled to get any relief. His claim is liable to be dismissed with cost.

4. In this case it is an admitted fact that the workman had worked up to 14-4-1988. He was disengaged on 15-4-88. It is also admitted that he had worked continuously for 240 days during the 12 calendar months preceding the date of his termination.

5. The main point for consideration in this case is that whether the services of the workman were terminated arbitrarily and illegally or he had left the job of his own accord.

6. The workman has submitted his affidavit alongwith copies of the documents which have been exhibited as Ex. W1 to Ex. W10. He has been cross-examined by the management. The management has submitted the affidavit of Head Clerk Shri S.P. Sharma and Executive Engineer Shri A. S. Arora. The documents filed by the management have been exhibited as Ex. M1 to Ex. M15.

7. The workman has deposed in his affidavit Ex. W1 and in supplementary affidavit Ex. W1/A, that he had worked from 12-11-1986 to 14-4-1988 continuously on daily wages. This fact has been admitted by A. S. Arora MW2 in his cross-examination that the workman was engaged on 19-11-1986 and he worked up to 14-4-1988 without any break. Thus it is evident that the workman had worked continuously for 240 days within 12 calendar months preceding the date of his termination i.e. 15-4-1988. It is also evident from the record that the provisions of Section 25-F of the I.D. Act were not complied with by the management. The contention of the management is that the workman had left the job of his own accord.

8. Executive Engineer A. S. Arora MW2 has admitted in his cross-examination that the workman was engaged by C.P.W.D. on daily wages. He was not engaged through a contractor. In the light of this admission it has been proved that the workman was the employee of C.P.W.D. during the period of his continuous service.

9. The witness of the management Shri A. S. Arora MW2 has deposed in his affidavit Ex. M8 that the workman had left the services at his own accord. He wanted to apply for better post, so he submitted an application for issue of experience certificate on 9-5-1988. The another witness of the management S. P. Sharma has also deposed in his affidavit Ex. M1 that the workman had left the job of his own accord. The application submitted by the workman for issue of experience certificate is Ex. M6 and the experience certificate is Ex. M7. This fact has not been controverted by the workman. So it has been proved that the workman submitted an application for issue of experience certificate which was issued by the management.

10. Both the witness of the management have deposed that the workman had left the job of his own accord. The workman has deposed that he was not allowed to work after 14-4-1988. In support of his statement he has submitted the copies of the applications and acknowledgement receipt of post offices. He has submitted the copy of the application Ex. W5 which was sent to the Superintending Engineer, New Delhi and the Director of CPWD New Delhi on the same day which have been exhibited as Ex. W6. He had also submitted another application Ex. W7 addressed to superintending Engineer, CPWD, New Delhi which was sent through registered post on 9-6-1988 which is Ex. M8. He again sent an application (Ex. W9) on 30-8-1988 to S.E. CPWD, New Delhi under registered cover. The copy of the acknowledgement is Ex. W10. In these applications the workman had requested to permit him to work in the sub-division but he was not allowed to work after 14-4-1988. If the workman

had left the job on his own accord he would not have sent the applications to the higher authorities of CPWD. The conduct of the workman shows that he was willing to work on daily wages but, he was not allowed by the authorities of CPWD. On appreciating the evidence adduced in this case it is proved that the workman was not allowed to work by the management.

11. The notice to terminate the services of the workman was not given to him assigning any reasons and compensation was also not paid to him under the provisions of Section 25-F of the Industrial Disputes Act. The management had not complied with the provisions of Section 25-F of the I.D. Act 1947. This Act of the management reveals that the services of the workman were terminated by the management in contravention of the provisions of the Section 25-F of the I.D. Act 1947. Therefore, the workman deserves to be reinstated from the date of his termination, with continuity of service.

12. The workman has deposed in his supplementary affidavit Ex. W1/A that he remained unemployed after his termination and he had no source of income for conducting and attending his case at CGIT, Chandigarh. For prosecuting his case he had to sold his arious house hold articles. The witness of the management have not controverted this fact in their affidavits. In his cross-examination the workman Abdul Mazid has deposed that he is unemployed since April 1988. He is dependant on the income of his father who is an agriculturist. He has admitted that he has been assisting his father in cultivation of the land. Under these circumstances he is not entitled to get the full backwages. In my opinion it will be sufficient to grant him 50 per cent of the back wages from the date of his termination till the date of passing of this award.

13. The management has made averment in written statement that the workman had filed civil suit in the Court of the Sub Registrar Srinagar relating to his disengagement. Copy of the injunction application Ex. M3 and the copy of the written statement (Ex. M2) have been submitted by the management which reveals that the Civil Suit was filed by the workman in the Court of Sub Registrar (Munsif), at Srinagar. The management challenged the maintainability and jurisdiction of the Civil Court in its written statement Ex. M4. The workman in his supplementary affidavit Ex. W1/A has deposed that no proceedings are pending in any Court of Civil jurisdiction regarding the termination of his services. He has admitted that the Civil Suit was filed which had been dismissed by Civil Judge in default of his appearance in the Court. The Civil Court has no concurrent jurisdiction to decide the case of Labour Dispute. Therefore, the principle of 'resjudicata' does not apply in this case. The jurisdiction of the civil court is barred expressly by the provisions of the Industrial Disputes Act 1947. Therefore, the claim of the workman is maintainable in this Tribunal.

14. On the basis of the reasons given in the preceding paragraphs of this award, this Tribunal comes to the conclusion that the claim of the workman should be allowed. Consequently it is held that the action of the Chief Engineer CPWD, (Electrical) New Delhi and the Executive Engineer (Elect.) CPWD (Central) Division, Srinagar in terminating the services of Shri Abdul Mazid Sheikh messenger is unjustified. He is entitled to be reinstated w.e.f. 15-4-1988 with continuity of service. He is also entitled to get 50 per cent of back wages w.e.f. 15-4-1988 till the date of passing of this award. The management shall bear the cost of this proceedings. The workman shall be entitled to get the cost of Rs. 1000 from the management. The reference is answered accordingly. Appropriate Govt be informed.

Chandigarh.

15-1-2001.

B. L. JATIAV, Presiding Officer

नई दिल्ली, 27 फरवरी, 2001

का.प्र. 633.—औद्योगिक विवाद अधिनियम, 1917 (1947 का 14) की धारा 17 के अनुसूचन में, केन्द्रीय सरकार

एच. डी. एफ सी. बैंक लिमिटेड के प्रांशतंत्र के संबद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक प्राधिकरण कोलकता के पचाट को प्रकाशित करता है, जो केन्द्रीय सरकार का 26-2-2001 प्राप्त हुआ था।

[स. एन-12011/22/2000-आइ ग्रार (वो-I)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 27th February, 2001

S.O. 633.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal Kolkata, as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of HDFC Bank Ltd. and their workman, which was received by the Central Government on 26-2-2001.

[No. L-12011/22/2000-IR(B-I)]
AJAY KUMAR, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
AT KOLKATA

Reference No. 35 of 2000

PARTIES :

Employers in relation to the management of Head —
Retail Operations, H.D.F.C. Bank Ltd.,

AND

Their workmen

PRESENT :

Mr. Justice B. P. Sharma, Presiding Officer.

APPEARANCE :

On behalf of Management : Mr. P.G. Das, Advocate
On behalf of Workmen : None.

STATE : West Bengal.

INDUSTRY : Banking.

AWARD

By Order No. L-12011/22/2000-IR (B-1) dated 29-8-2000 the Central Government in exercise of its powers under section 10(1)(d) and (2A) of the Industrial Disputes Act, 1947 referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of HDFC Bank in placing the services of Sri Sanjoy De Dhara, Smt. Sharmila Banerjee, Smt. Sudeshna Mitra, Smt. Suparna Bhattacharya, Sri Ardhendu Biswas, Sri Sushanta Kr. Guha and Sri Chandan Sahu under some Agency after a few months of their engagement without notice and terminating their services with effect from 1-10-1999, 27-12-1999, 30-1-2000, 5-9-1999, 15-11-1999, 1-10-1999 and 1-10-1999 respectively is just and fair? If not, to what relief these workmen are entitled."

2. When the case is called out today, none appears for the workmen, even though the management is represented by its Advocate. It appears from the record that no one ever appeared on behalf of the workmen in spite of service of notice and did not take any step for filing statement of claim. It is accordingly clear that the workmen have no interest in the matter.

3. In the circumstances, in the absence of any material what-so-ever, this Tribunal has no other alternative but to dispose of this reference by passing a "No Dispute" Award.

4. A "No Dispute" Award is accordingly passed and the reference is disposed of.

B. P. SHARMA, Presiding Officer

Dated, Calcutta.

The 13th February, 2001

नई दिल्ली, 28 फरवरी, 2001

का.आ. 634—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार नार्थन रेलवे के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिनियम/श्रम न्यायालय, चंडीगढ़ के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-2-2001 को प्राप्त हुआ था।

[सं. एल-41012/120/95 आई आर (बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 28th February, 2001

S.O. 634.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal/Labour Court, Chandigarh as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Northern Railway and their workman, which was received by the Central Government on 27-2-2001.

[No. L-41012/120/95-IR(B-I)]
AJAY KUMAR, Desk Officer

ANNEXURE

BEFORE SHRI B. L. JATAV, PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,

CHANDIGARH.

Case No. I. D. 76/96

Sewa Ram S/o Ram Nath,
C/o B. R. Prabhakar,
63-C, Kailash Nagar, Model Town,
Ambala City.

... Workman

Vs.

D. R. M., Northern Railway,
Ambala Cantt-133001.

... Management.

APPEARANCES :

For the Workman : None

For the Management : N. K. Zakhmi

AWARD

(Passed on 8th February 2001)

The Central Govt. vide Gazette Notification No. L-41012/120/95-IR(B) dated 9th August, 1996 has referred the following dispute to this Tribunal for adjudication.

"Whether the action of the Management of Northern Railway, Ambala Cantt in terminating the service of Sh Sewa Ram, Ex S&T Khabasi is just fair and legal? If not, what relief, he is entitled to and from what date?"

2. None has put up appearance on behalf of the workman did despite several notices. No claim statement has been filed. Case is pending since 1996. It appears that workman is not interested to pursue with the present reference. In view of the above, the present reference is returned to the Appropriate Govt. for want of prosecution. Appropriate Govt. be informed.

Chandigarh.

8-2-2001

B. L. JATAV, Presiding Officer

नई दिल्ली, 28 फरवरी, 2001

का.आ. 635—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार नार्थन रेलवे के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिनियम/श्रम न्यायालय, चंडीगढ़ के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-2-2001 प्राप्त हुआ था।

[सं. एल-41012/50/91-आई आर (डी यू)/(बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 28th February, 2001

S.O. 635.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal/Labour Court, Chandigarh as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Northern Railway and their workman, which was received by the Central Government on 27-2-2001.

[No. L-41012/50/91-IR(DU)](B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE

BEFORE SHRI B. L. JATAV, PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHANDIGARH.

Case No. I. D. 165/91

Rajender Singh Son of
Shri Dhanu Ram
V. Harnowali,
Post Office Mansuri,
Distt Eta (U.P.)

... Workman

Vs.

Senior Civil Engineer (Const.)
Northern Railway, Near Railway Colony,
Chandigarh

... Management

APPEARANCES :

For the workman : None.

For the management : N. K. Zakhmi.

AWARD

Passed on 29th January, 2001

The Central Govt. vide Gazette Notification No. L-42012/50/91-IR(DU) dated 29th of October, 1991 has referred the following dispute to this Tribunal for adjudication :

"Whether the action of the Senior Civil Engineer, Northern Railway, Nangal Dam at Chandigarh in terminating the services of Shri Rajinder Singh son of Shri Dhani Ram, w.e.f. 29-3-1987 is legal and justified ? If not, to what relief the concerned workman is entitled to and from what date ?"

2. Today the case was fixed for appearance of the workman. None has put up appearances on behalf of the workman despite several notices. It appears that workman is not interested to pursue with present reference. In view of the above, the present reference is returned to the Ministry for want of prosecution. Appropriate Govt. be informed.

Chandigarh,
29-1-2001.

B. L. JATAV, Presiding Officer

नई दिल्ली, 28 फरवरी, 2001

का.आ. 636.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14). धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक ऑफ इंडिया के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय चंडीगढ़ के पंचाट की प्रकाशित करती है जो केन्द्रीय सरकार को 27-02-2001 को प्राप्त हुआ था।

[सं० एल-12012/222/95-आई० आर० (बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 28th February, 2001

S.O. 636.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal/Labour Court, Chandigarh as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of State Bank of India and their workman, which was received by the Central Government on 27-2-2001.

[No. L-12012/222/95-IR(B-I)]
AJAY KUMAR, Desk Officer

ANNEXURE

BEFORE SHRI B. L. JATAV, PRESIDING OFFICER, CENTRAL GOVT., INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHANDIGARH.

Case No. I.D. 91/97

Smt. Krishna Devi
C/o General Secretary,
State Bank of India Staff Congress,
Chandigarh. ... Workman

Vs.

Assistant General Manager,
State Bank of India,
Region. II, Shimla. ... Management

APPEARANCES :

For the workman : None.

For the management : Shri D. P. Garg.

AWARD

(Passed on 7th February, 2001)

The Central Govt. vide Gazette Notification No. L-12012/222/95-IR.(B) dated 21st January, 1998 has referred the following dispute to this Tribunal for adjudication :

"Whether the action of the Management of State Bank of India, Region-II, Zonal office Shimla in terminating the service of Mrs. Krishna Devi a part time sweeper in Parwanoo Branch of the Bank w.e.f. 31-1-87 is justified and legal. If not to what relief the workman is entitled to and from which date ?"

2. Today the case was fixed for filling of claim statement on behalf of the workman. Despite several notices none has put up appearance on behalf of the workman. Nor any claim statement has been filed. It appears that workman is not interested to pursue with the present reference. In view of the above, since no claim statement has been filed, and none has put up appearance on behalf of the workman, the present reference is returned to the Ministry for want of prosecution. Appropriate Govt. be informed.

Chandigarh,
7-2-2001.

B. L. JATAV, Presiding Officer

नई दिल्ली, 28 फरवरी, 2001

का.आ. 637.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14 की धारा 17 के अनुसरण में केन्द्रीय सरकार बैंक ऑफ राजस्थान लि. के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, चंडीगढ़ के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-2-2001 प्राप्त हुआ था।

[सं० एल-12011/01/89/आई० आर० (बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 28th February, 2001

S.O. 637.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal/Labour Court, Chandigarh, as shown in the Annexure in the Industrial Dispute between the emp-

loyers in relation to the management of Bank of Rajasthan Ltd. and their workman, which was received by the Central Government on 27-2-2001.

[No. L-12011/01/89 IR(B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE

BEFORE SHRI B.L. JATAV, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL,
CUM-LABOUR COURT, CHANDIGARH

Case No. I.D. 55/89

Yog Raj
C/o Tek Chand Sharma,
25, Sant Nagar, Civil Lines,
Ludhiana.

.. Workman.

Vs.

Regional Manager,
The Bank of Rajasthan Ltd.
Regional Office, 2213, Gurdwara Road,
2nd Floor, Karol Bagh, New Delhi.

.. Management.

APPEARANCES :

For the workman T. C. Sharma.

For the management : V. K. Gupta.

AWARD

Passed on 18th January 2001

The Central Government vide Gazette Notification No. L-12011/1/89-IR(Bank-I) dated 6th April 1989, has referred the following dispute to this Tribunal for adjudication:

"Whether the action of the management of Bank of Rajasthan Ltd. in terminating the services of Shri Yog Raj w.e.f. 26-3-1986 is justified? If not, to what relief the workman is entitled?"

2. As per statement of claim, the case of the workman in brief is that he worked as a peon from 24-3-1984 to 9-4-1984 (17 days), from 7-5-85 to 28-5-85 (22 days), from 13-11-85 to 30-11-1985 (18 days), from 1-12-85 to 7-12-85 (7 days), and from 10-3-1986 to 31-3-1986 (16 days). Thus he had worked for 80 days in the subordinate staff scale. His appointment was of permanent nature. He was illegally disengaged from service. His services were terminated on 26-3-1986 without giving any notice, notice pay, charge sheet and without holding enquiry.

3. After illegal termination of his services, large number of persons were employed by the management but the workman was not reinstated. The opportunity of re-employment was also not given to him. Junior persons were retained in service by the management at the time of his illegal termination from service. Thus the management has violated the provisions of Section 25-F, H&G of I.D. Act 1947. The termination of the services of the workman be set aside and the workman should be reinstated in service with full back-wages and continuity of service.

4. The case of the management in brief is that the workman was employed intermittently for specific period in the leave vacancy. He was appointed temporarily for the fixed period. Therefore, his services were terminated automatically. Notice for his termination was not necessary. Departmental enquiry was not required in his case. The contract of service came to an end automatically. Under these circumstances, no provisions of Industrial Disputes Act 1947 has been violated. The claim of the workman be dismissed with cost.

5. In this case, it is an admitted fact that the workman had worked only for 80 days. The dates of his service period given in paragraph 1 of claim statement have also been admitted by the management.

771 GI/2001—14

6. The workman Yog Raj (WW1) has submitted his affidavit in support of his claim as stated in the claim statement. He has deposed that his services were terminated illegally by the management on 26-3-1986 without giving him any notice, notice payments charge sheet. Departmental enquiry was also not held, before his termination. After his termination, large number of persons were employed by the management and junior persons were retained in service at the time of termination of his services. The management has submitted affidavit of Deputy Manager Ranbir Singh Yadav MW1 alongwith office copy of the appointment letters given to the workman, which have been marked as annexure 'A' to 'E'. He has deposed in his affidavit that the workman was appointed as temporary peon-cum-frash for specified period as a temporary stop gap arrangement. In support of his statement the office copy of the appointment letter has been annexed with affidavit. The appointment offered by the management were accepted by the workman. No documentary evidence has been adduced by the workman.

7. In his cross-examination the workman has admitted that the employment was given to him on account of leave vacancy. He was employed at last from 10-3-1986 to 25-3-1986 the leave vacancy of Laxmi Narain who was working as daftri-cum-peon. Thus the workman has admitted the fact that he was employed intermittently for specific period. The period of his employment has been shown in his appointment letters which have been marked as annexure 'A' to 'E'. Therefore, his termination from service does not fall within the scope of the definition of "retrenchment". Consequently the provisions of Section 25-F, G&H do not apply in this case. Under these circumstances it can not be held that the termination of the services of the workman was unjustified. Therefore, the action taken by the management is justified. The workman is not entitled to get relief under the provisions of I.D. Act 1947.

8. On the basis of the discussions made in preceeding paragraph, the reference is answered that the action of the management of Bank of Rajasthan Ltd. in terminating the services of Shri Yog Raj w.e.f. 26-3-1986 is justified. The workman is not entitled to get any relief. The parties shall bear their own cost. Appropriate Government be informed. Chandigarh.

18-1-2001.

B. L. JATAV, Presiding Officer

नई दिल्ली, 28 फरवरी, 2001

का. आ. 638.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक आफ इंडिया के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय चंडीगढ़ के पंचाट को प्रकाशित करती है जो केन्द्रीय सरकार को 27/02/2001 को प्राप्त हुआ था।

[सं. एल-12011/36/95-आई आर (बी-I)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 28th February, 2001

S.O. 638.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour Court, Chandigarh as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of State Bank of India and their workman, which was received by the Central Government on 27-02-2001.

[No. L-12011/36/95-IR(B-I)]
AJAY KUMAR, Desk Officer

ANNEXURE

BEFORE SHRI B. L. JATAV, PRESIDING OFFICER,
CENTRAL GOVERNMENT, INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT, CHANDIGARH

Case No. I.D. 79/96

Hem Singh Rana,
C/o Regional Secretary,
S.B.I. Staff Association
through J. B Garg,
Rohtak.

... Workman

Versus

Deputy General Manager,
State Bank of India,
Zonal Office,
Haryana, Sector-8C,
Chandigarh.

... Management

APPEARANCES:

For the Workman: None.
For the Management: None.

AWARD

(Passed on 8th February, 2001)

The Central Government, vide Gazette Notification No. L-12011/36/95-IR(B-I) dated 13th August, 1996 has referred the following dispute to this Tribunal for adjudication.

"Whether the action of the Management of SBI represented through Deputy General Manager, SBI, Zonal Office, Haryana, Sector 8C, Chandigarh in not considering the application of Sh. Hem Singh Rana ex-temporary messenger for regular appointment as messenger on the basis of his application dated 9-8-88 is legal and just? If not to what relief the workman is entitled?"

2. None has put up appearance on behalf of the parties despite several notices. No claim statement has been filed. Case is pending since 1996. It appears that workman is not interested to pursue with the present reference. In view of the above, the present reference is returned to the appropriate Government for want of prosecution. Appropriate Government be informed.

Chandigarh,
8-2-2001.

B. L. JATAV, Presiding Officer

नई दिल्ली, 28 फरवरी, 2001

का आ 639.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अन्वयेण में, केन्द्रीय सरकार स्टेट बैंक ऑफ इंडिया के प्रबंधन के संबंध नियोजकों और उनके कार्मिकों के बीच, अन्वय में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय चंडीगढ़ के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-2-2001 को प्राप्त हुआ था।

[ग एन-12012/27/95-आई आर (बी-I)]

अजय कुमार डेस्क अधिकारी

New Delhi, the 28th February, 2001

S.O. 639—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour Court, Chandigarh as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of State Bank of India and their workman, which was received by the Central Government on 27-02-2001.

[No. L-12012/27/95 IR(B-I)]
AJAY KUMAR, Desk Officer

ANNEXURE

BEFORE SHRI B. L. JATAV, PRESIDING OFFICER,
CENTRAL GOVERNMENT, INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT, CHANDIGARH

Case No. I.D. 59/96

Karam Singh,
C/o Asstt. General Secretary,
State Bank of India,
Staff Congress,
Near Panchi Tent House,
Prem Nagar,
Jail Road,
Rohtak

... Workman

Versus

Asstt. General Manager,
(Region-III),
State Bank of India,
Zonal Office,
Sector-8C, Chandigarh.

... Management

APPEARANCES:

For the workman: None.
For the management: Shri Ajay Kohli.

AWARD

Dated 24th January, 2001

The Central Government vide Gazette Notification No. L-12012/27/95-IR(B-I) dated 22nd July 1996 has referred the following dispute to this Tribunal for adjudication:

"Whether the action of the management of State Bank of India in not promoting to Shri Karam Singh workman and a Schedule Caste candidate from the post of messenger to the post of clerk is just, fair and legal? If not to what relief he is entitled?"

2. Today the case was fixed for filling of claim statement. None has been putting appearance on behalf of the workman despite many notices. It appears that workman is not interested to pursue with the present reference. In view of the above, the present reference is returned to the Ministry for want of prosecution. Appropriate Government be informed.

B. L. JATAV, Presiding Officer
Chandigarh,
24-1-2001.

नई दिल्ली, 28 फरवरी, 2001

का आ. 640.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अन्वयेण में केन्द्रीय सरकार स्टेट बैंक ऑफ इंडिया के प्रबंधन के संबंध नियोजकों और उनके कर्मिकों के बीच, अन्वय में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय चंडीगढ़ के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 27/02/2001 को प्राप्त हुआ था।

[सं. एन-12012/117/95-आई आर (बी-I)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 28th February, 2001

S.O. 640.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour Court, Chandigarh as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of State Bank of Patiala and their workman, which was received by the Central Government on 27-02-2001.

[No. L-12012/117/95-IR(B-I)]
AJAY KUMAR, Desk Officer

[भाग II-खंड 3(ii)]

भारत का राजपत्र : मार्च

21, 2001/मार्च 3, 1923

ANNEXURE

BEFORE SHRI B. L. JATAV, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
TUM-LABOUR COURT, CHANDIGARH

Case No. I.D. 88/96

Chattar Singh Malik,
S/o Dharam Singh Malik,
VPO Buana,
Dist. Panipat.

.... Workman

Versus

General Managere,
State Bank of Patiala,
The Mall,
Patiala.

.... Management

APPEARANCES :

For the Workman : None.

For the Management : N. K. Zakhmi.

AWARD

(Passed on 8th February, 2001)

The Central Government vide Gazette Notification No. L-12012/117/95-I.R.(B) dated 24th September, 1996 has referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of State Bank of Patiala in terminating the services of Shri Chattar Singh is legal and justified? If not, to what relief is the workman entitled?"

2. None has put up appearance on behalf of the workman despite several notices. No claim statement has been filed. Case is pending since 1996. It appears that workman is not interested to pursue with the present reference. In view of the above, present reference is returned to the Appropriate Government for want of prosecution.

Appropriate Government be informed.

B. L. JATAV, Presiding Officer

Chandigarh,
8-2-2001.

नई दिल्ली, 01 मार्च, 2001

क्र.सा.641.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक आफ इंडिया के प्रबंधन के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नागपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 28/02/2001 प्राप्ता हुआ था।

[सं. एन-12012/25/2000-आई आर (बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 1st March, 2001

S.O. 641—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Nagpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of State Bank of India and then workman, which was received by the Central Government on 28-02-2001.

[No. L-12012/25/2000-IR(B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL, NAGPUR

PRESENT :

Presiding Officer

Shri B. G. Saxena,

GIF : 193/2000

Reference No. C the Management of

Employers in relation to

State Bank Of India

AND

Shri Rajesh Shivraj Reddy

AWARD

The Central Government, Ministry of Labour, New Delhi, by exercising the powers conferred by clause (d) of sub section (1) and sub section 2(A) of section 10 of the Industrial Dispute Act, 1947 has referred this dispute for adjudication vide Order No. L-12012/25/2000-IR(B-I) dated 27-06-2000 on the following schedule.

SCHEDULE

"Whether the action of the Management namely Branch Manager, State Bank of India, Jatpura Gate, Ramnagar Branch, Chandrapur, terminating Shri Rajesh Shivraj Reddy, Ex Peon is legal, proper and justified? If not, to what relief, the workman is entitled and from which date?"

This reference was received on 14-08-2000 and notice were issued to parties for 06-10-2000. The workman did not appear on this date. The counsel Shri A. R. Mehra had submitted Vakalatnama for the workman, but did not submit any Statement of Claim. The case was adjourned to 17-11-2000. On this date also the counsel for workman did not submit any Statement of Claim. The counsel for the management Shri S.N. Kumar is present, he represented that on 14-11-2000 the application was moved for granting time to file Statement of Claim, but neither on 17-11-2000 nor on next date fixed 29-11-2000 any Statement of Claim was filed by the counsel of the workman. The case was again adjourned on 29-11-2000 and 25-01-2001 was fixed for the Statement of Claim. On 29-11-2000 also nobody turned up from the side of workman.

Today also the case was taken up at 12.05 p.m., but neither the workman turned up nor his counsel appeared to file Statement of Claim. It is clear that from 06-10-2000 the case was adjourned for several times, but counsel for the workman did not file Statement of Claim. In this case the representative of the Union of the workman also did not appear from the side of workman.

As no Statement of Claim has been filed by the workman the proceedings can not continue further. The reference should therefore be disposed off for want of prosecution.

ORDER

The workman did not submit any Statement of Claim either himself or through his union. The counsel for the workman Shri A. R. Mehra also did not submit Statement of Claim.

The reference is therefore disposed off the want of prosecution.

B. G. SAXENA, Presiding Officer

Date : 25-01-2001

नई दिल्ली, 1 मार्च, 2001

क्र.सा.642.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार सार्वी रेलवे के प्रबंधन के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण चेन्नई के पंचाट

को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-3-2001 को प्राप्त हुआ था ।

[सं. एल-41012/44/96-आई आर (बी-1)]

अजय कुमार, डैस्क अधिकारी

New Delhi, the 1st March, 2001

S.O. 642.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Chennai as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Southern Railway and their workman, which was received by the Central Government on 28-02-2001.

[No. L-41012/44/96-IR(B-I)]
AJAY KUMAR, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL, TAMIL NADU,
CHENNAI

Monday, 20th day of November, 2000

PRESENT :

Thiru S. R. Singharavelu, B.Sc., B.L.,
Industrial Tribunal.
Industrial Dispute No. 125 of 1997

(In the matter of the dispute for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947 between the Workman and the Management of Southern Railway, Tiruchirappalli).

BETWEEN

Shri M. Kandan,
T. M. No. 2078,
Mechanical Diesel Shed,
No. 866A,
Railway Diesel Colony,
Ponmalai,
Tiruchirappalli-620004.

AND

1. The Senior Divisional Mechanical Engineer,
Southern Railway,
Tiruchirappalli-620001.
2. The Divisional Railway Manager,
Southern Railway,
Trichy Division,
Trichy-620001.

REFERENCE :

Order No. L-41012/44/96-IR(B-I) dated 10-12-1997,
Ministry of Labour, Government of India, New
Delhi.

This dispute coming on for final hearing on Thursday, the 9th day of November, 2000, upon perusing the reference, Claim and Counter statements and all other material papers on record and upon hearing the arguments of Tvl. Row & Reddy, R. Valgal, K. N. Ramesh, S. Valdyanathan and S. Sathish Kumar, advocates appearing for the Workman and of Thiru G. Kalyanasundaram, advocate appearing for Management Nos. 1 & 2 and this dispute having stood over till this day for consideration, this Tribunal made the following :

AWARD

The Government of India has referred the following issue for adjudication by this Tribunal :

"Whether the action of the management of Senior Divisional Mechanical Engineer, Golden Rock, Southern Railway, Trichy in terminating the services

of Sri M. Kandan, is justified? If not, to what relief the workman is entitled?"

2. The main averments found in the Claim statement of the petitioner are as follows :

The petitioner is an ex-serviceman. He joined the respondent as Khalasi on 9-9-1981 in the Office of the Loco Foreman, Steam Loco, Trichy and in 1983 as Khalasi in Diesel Shed Ponmalai, Trichy. The petitioner was charge sheeted on 7-4-93 on the ground that he, while on duty on 23-1-93 around 7.30 a.m. quarrelled and manhandled one Annadurai, Diesel Khalasi near the blacksmith room in the Diesel shed. His action was said to be violative of Rule 3(I), (II) and (III) of the Railway Servants Conduct Rules 1966. The petitioner states that he was on casual leave on 22-1-93. He went to the workspot for availing another days leave on 23-1-93. On that day Annadurai assaulted. The respondent not satisfied with the explanation conducted a force of an enquiry and terminated the service of the petitioner on 11-2-94. The petitioner's appeal was rejected on 24-11-94. The Order of removal was not passed by the appointing authority. There is no proof about disturbance of normal working in the shed due to the alleged misconduct. The petitioner was not given reasonable opportunity in the Departmental Enquiry to defend his case. The enquiry officer examined S. Annadurai behind the back of the petitioner and hence the same ought not be taken into account while finalising the findings. Enquiry officer is not competent to conduct the enquiry as the Enquiry officer and the petitioner are of the same rank i.e. Group III employees. One Perumal has deposed that he was not aware of any incident that took place on the said premises on 23-1-93. A criminal case was registered against the petitioner and Annadurai. Annadurai had admitted that he assaulted the petitioner and paid the fine amount. The petitioner was acquitted by Order dated 12-7-95 in STC No. 110/93 by the Judicial Magistrate-IV, Trichy. It is really strange that the department instead of taking action against the person who involved in the incident has initiated the action against the petitioner. The petitioner prays to pass an Award holding that the termination of the petitioner w.e.f. 10-2-94 as modified by the Reviewing Authority by his Order dated 29-9-97 as one of Compulsory retirement is not legal.

3. The main averments found in the counter statement of the respondent are as follows.—The petitioner was appointed as Loco Khalasi under Ex. Serviceman Quota on 9-9-1981 in the Tiruchirappalli Division of the Southern Railway. He was further promoted as Diesel Mechanic/ Grade III in the Diesel Shed, Ponmalai, Trichy. While he was working as Diesel Mechanic, on 29-1-1993 he had quarrelled with his co-worker and manhandled him at the duty spot and disturbed the normalcy at the workspot, Diesel Shed, Ponmalai, Trichy. For his act of misconduct in the duty spot disciplinary proceedings were initiated against him under the provisions of the Railway servants (Discipline and Appeal) Rules, 1968. After conducting thorough and exhaustive departmental enquiry, the Disciplinary Authority viz. The Senior Divisional Mechanical Engineer, Diesel Shed, Ponmalai, Trichy has imposed the penalty of removal from service on the applicant w.e.f. 10-2-94, vide penalty advice No. T/MD.P. 227/MK/2078 dated 7-2-1994. His Revision petition was carefully examined and considered by the Chief Mechanical Engineer, Southern Railway, Chennai and the Revisionary Authority by an Order, dated 31-12-94 has modified the penalty of removal from service as one of Compulsory retirement with pensionary benefits with effect from the date of removal from service. Further, the Disciplinary Authority has conducted a detailed and thorough enquiry and the petitioner had attended the enquiry held on 6-8-93, 10-8-93 and 11-8-93. A copy of the enquiry report was served on him under acknowledgement on 26-8-93. The petitioner had submitted a representation dated 20-10-93 and after careful consideration of his representation, the Disciplinary Authority has imposed the penalty of removal from service w.e.f. 10-2-94. The petitioner's contention that in as much as he has been acquitted by a Court of Law on the same charges, he should be exonerated in the departmental proceedings is unsound. In this connection it is submitted that both the cases are different. In fact he was taken up under DAR for the incident that took place on

23-1-93 at 7.30 a.m. at Diesel Shed/Golden Rock and no police case is involved. But, the petitioner was acquitted to the incident that took place on 25-1-93 at 12.00 hrs at Four Road, Senthaneerpuram, Tiruchirappalli and a Criminal case was registered by the Police authorities based on a complaint preferred by the complainant, a private party and not by any departmental official. The respondent prays to dismiss the petition.

4 On behalf of petitioner, Ex. W1 to W18 were marked by consent. On behalf of respondent, Ex. M1 to M21 were marked by consent. No witnesses were examined for both sides.

5. The Point for consideration is : Whether the action of the Management of Senior Divisional Mechanical Engineer Golden Rock, Southern Railway, Trichy in terminating the service of Shri M. Kandan is justified? If not to what relief the workman is entitled?

6 The Point : The petitioner by name Mr. M. Kandan is an Ex-serviceman. On 9-9-81, he joined the respondent as Khalasi. His service was terminated on 11-2-94 for certain alleged misconduct. On revision, it was modified as compulsory retirement. It is to be mentioned that he will be having his superannuation in the year 1997. It is under such circumstance, the sustainability of his termination on 10-2-1994 is to be analysed.

7. So far as the alleged misconduct is concerned, the allegation is that the workman M. Kandan while on duty on 23-1-93 at about 7.30 hours quarrelled and manhandled one Mr. Annadurai, Khalasi near the blacksmith room in the Diesel shed; thus the petitioner workman has disturbed the normal working in the shed and violated Rule 3(F)(II)(III) of the Railway Servants Conduct rules 1966. The copy of the relevant Charge Sheet was marked as Ex. M3. By virtue of Ex. M1 Order dated 28-1-93 the petitioner workman was suspended from services, till it was revoked on 29-1-1993 through Ex. M2. There was an intimation of proposed enquiry proceedings made through Ex. M4 dated 29-6-93. In the said enquiry, the deposition of delinquent employee and that of Annadurai, Selvam, Sathyamurthy, Annadan, Perumal and Ravichandran were marked as Ex. M5 to M11 respectively. Among these witnesses, Annadan and Perumal deposed that they were not aware of the alleged incident held on 23-1-93; whereas the witness Selvam and Sathyamurthy have vividly spoken about the abuse and attack made on Annadurai by the delinquent Mr. Kandan, the petitioner workman. Based on these materials, the Enquiry Officer had given a findings against this petitioner-workman through Ex. M12 on 17-8-93. This was also acknowledged by the petitioner-workman through Ex. M13. There was also a penalty advice through Ex. M14 dated 7-2-94 which was acknowledged by the petitioner on 18-2-94 through Ex. M15. Thus he was terminated w.e.f. 10-2-94. The appeal preferred by the delinquent through Ex. M16 dated 20-2-94 was dismissed on 24-11-94 through Ex. M18, after personal Hearing Advice given on 5-8-94 through Ex. M17. There was a Revision petition on 13-8-97 through Ex. M19 which was ordered on 29-9-1997 through Ex. M20 whereby the services of the petitioner workman in the Army for more than 15 years was considered in his favour and the penalty of termination was reduced to compulsory retirement. This was ordered by the Chief Mechanical Engineer of the Personal branch in the Headquarters office at Chennai of the Southern Railway. The learned counsel for the respondent contended that Procedural Law was very well adopted strictly in the Conduct of the Domestic enquiry.

8. The petitioner-workman contended that he had previous enmity with Annadurai that the later alone had attached the delinquent on 23-1-93, that there was a case against Annadurai in STC No. 111/93 on the file of Magistrate Court at Trichy that Annadurai was convicted as seen under Ex. M8 and that there was also found Certificate through Ex. M7 in showing that the petitioner sustained injury at the hands of Annadurai. It was again contended that as seen in Ex. W12 the Order in STC No. 110/93 of the Judicial Magistrate at Trichy, the case against the petitioner ended in acquittal. Therefore it was contended that the real culprit was made to escape from any domestic enquiry and innocent petitioner was unduly punished.

9. In this connection, a perusal of records in STC 110/93 through Ex. W12 and STC No. 111/93 through Ex. W8 of the Judicial Magistrate at Trichy will go to show that Annadurai was convicted for the offence took place on 23-1-93; and that the petitioner was acquitted for an offence held on 25-1-93. Thus the acquittal of petitioner was unconnected to the incidence dated 23-1-93 for the misconduct. Even regarding the conviction of Annadurai the wound certificate of petitioner through Ex. W7 contains some errors in the sense that for substantance of said injury on 23-1-93 he was given treatment at 5.09 p.m. which is either false or erroneous. Therefore, this fact that Kandan got injured is not established. Thus the only point remains is that Annadurai got convicted. That may only go to support the case of Management, that there was an incident on 23-1-93 in which each of Annadurai and Kandan assaulted the other. Kandan's acquittal was with reference to a different incident dated 25-1-93. We are not concerned with why Annadurai was not proceeded with. On the contrary we are concerned only with the legality and truthfulness of the enquiry against the delinquent workman namely the petitioner. Thus, the allegation that the innocent petitioner was falsely entangled in the domestic enquiry is not correct. A careful perusal of depositions of witnesses through Ex. M5 to M11 recorded in the domestic enquiry would also support this view. That will go to establish the fact that the petitioner-workman assaulted co-worker Annadurai on 23-1-93 in the workshop.

10. The Order in O.A. No. 75/95 before the Central Administrative Tribunal, Madras Bench marked through Ex. W14 dated 29-7-97 will not tilt the issue; as in that the petitioner workman had only withdrawn the Proceedings initiated by him. There was also no findings.

11. The Learned Counsel for the Petitioner workman had alleged that the enquiry officer put leading questions in the course of Cross-examination of witnesses. In fact, the Enquiry Officer in the domestic enquiry can put questions to the witness for clarification wherever necessary and what is necessary is that the witness shall be undergone for effective cross-examination and once it is done the enquiry proceedings cannot be impeached as unfair. This was so held in A.I.R. 1975 Supreme Court p. 2125. The enquiry officer was alleged as not the competent person to conduct the enquiry. In this aspect, the Learned Counsel for the Management pointed out that the Enquiry Officer was a Electrical Foreman, Senior Supervisory who is higher than the Grade of petitioner. We have also given the time scale of pay of the Enquiry Officer as Rs. 2000 and that of the petitioner workman as Rs. 1300. Thus the allegation that the enquiry officer is incompetent is unacceptable. The petitioner was also given an opportunity to file his defence statement dated 20-10-93. He was also served with copy of the Findings through Ex. M13. The Penalty advice was also acknowledged by the petitioner through Ex. M15. The Personal hearing Advice in the Appeal was also served on petitioner through Ex. M17. He has also cross-examined every witness more effectively. A careful perusal of the records would go to show that the Disciplinary Authority had applied its mind after considering the enquiry report and the representation of the petitioner dated 20-10-93. He had also passed a Sneaking Order. Therefore, there is no flaw found in the Proceedings of the enquiry. The earlier enmity of the petitioner with Annadurai is double edged weapon. That need not necessarily go in favour of the petitioner.

12. In order to apply Secelon 114 of the Industrial Dispute Act, the learned Counsel for the Petitioner Workman relied upon two Case Laws 1987 I LLN 405 and 1990 I LLN 710. True it is that the following was mentioned in 1990 I LLN 710.

"The services of the first respondent workman were terminated for slapping the charge hand who found the workman sleeping while on duty and reported the matter to the management. The Labour Court upheld the propriety of the disciplinary action on merits. However, on the question of punishment, the Labour Court chose to interfere and directed reinstatement of the employee but, denying him the backwages from 17 August 1976, when he was suspended pending disciplinary action till the date of reinstatement. This award of the Labour Court was upheld by a learned Single Judge of the

High Court. Hence the present appeal by the Management.

... The Learned Single Judge, rightly decline to interfere with this discretion, on the part of the Labour Court. It cannot be stated that the Labour Court did not exercise the discretion judicially. The view taken by the Labour Court was that the punishment imposed by the appellant was disproportionate to the degree of guilt of the employee. The Labour Court has given reasons for his decision. Such being the position, the High Court will not interfere in writ appeal and accordingly this writ appeal is dismissed."

13. Similarly it was held in 1987 1 LLN 405, as follows:

"The denial of backwages to the employee to the extent observed by the Labour Court are appropriate to meet the ends of justice. But to deprive them of the employment itself would be too harsh a result especially in these hard days of widespread unemployment and in this regard their unblemished past record of service of long duration speaks in favour of taking a lenient view of the matter. The ultimate decision of the Labour Court cannot be characterised as perverse. The writ petitions both of the Management and Workman are dismissed."

That was also a case where the following Charge was made:

"Again on 27 April 1973, at about 1 p.m. just outside the factory gate, you abused Sri N.P. Balan, driver, and slapped him on his face and threatened to stab him."

14. By applying the above ratio decidendum, we can also show sympathy towards the petitioner. But the fact of the case do not allow us to do so because the petitioner-workman had already attained the period of superannuation in the year 1997 itself. On this score, he could not be reinstated. Considering this circumstance and also the fact that the imposition of Penalty of termination was reduced on revision into the Compulsory retirement is quite reasonable and this case deserves no interference under Sec. 11 due to the fact that the petitioner had already attained the age of superannuation as early as in 1997, so no relief could be provided. Award passed accordingly. No costs.

Dated at Chennai, the 20th day of November, 2000

S. R. SINGHARAVELU, Industrial Tribunal.

I. D. No. 125/97

Witnesses Examined

For Petitioner/Workman : None.

For Respondent/Management : None.

Documents marked

Petitioner/Workman

Ex. W1 16-12-88 Letter of the petitioner to the Respondent.

Ex. W2 .. Extract from Leave maintenance book.

Ex. W3 .. Working Job Maintenance Register.

Ex. W4 Jan'93 Muster Roll.

Ex. W5 23-1-93 Receipt issued by Sentheneerpuram Police Station.

Ex. W6 25-1-93 O.P. Sheet issued by Rly. Hospital Ponmalai.

Ex. W7 —1998 Wound Certificate.

Ex. W8 25-1-93 S.T.C. 111/93.

Ex. W9 14-2-95 Evidence of Annathurai in CO 262/93.

Ex. W10 29-1-93 Suspension order revoked.

Ex. W11 7-2-94 Penalty advice.

Ex. W12 12-7-95 Order in STC 110/93.

Ex. W13 16-2-96 Conciliation failure report.

Ex. W14 29-7-97 Order in OA 75/95 CAT Madras Bench.

Ex. W15 12-8-97 Letter of the petitioner to respondent.

Ex. W16 .. Evidence of the petitioner is STC 110/93.

Ex. W17 .. Pamphlet issued by S. Rly. Mazdoor Union.

Ex. W18 .. Extract from Charge Sheet issued to Shan-thakrishnan.

For Respondent/Management

Ex. M1 28-1-93 Suspension Order.

Ex. M2 29-1-93 Revocation of Suspension order.

Ex. M3 7-4-93 Charge Sheet.

Ex. M4 29-6-93 Intimation of proposed Inquiry proceedings.

Ex. M5 .. Deposition of delinquent employee.

Ex. M6 .. Deposition of Sri Annadurai.

Ex. M7 .. Deposition of Sri L. Selvam.

Ex. M8 .. Deposition of Sri N. Sathyamoorthy.

Ex. M9 .. Deposition of Sri M. Anandan.

Ex. M10 .. Deposition of Sri A. Perumal.

Ex. M11 .. Deposition of Sri R. Ravichandran.

Ex. M12 17-8-93 Enquiry officer's report and findings.

Ex. M13 .. Enquiry officer's report and findings acknowledged by the employee.

Ex. M14 7-2-94 Penalty Advice.

Ex. M15 18-2-94 Penalty advice acknowledged by the employee.

Ex. M16 20-2-94 Delinquent employee's appeal petition.

Ex. M17 5-8-94 Personal hearing Advice.

Ex. M18 24-11-94 Disposal and appeal by the Appellate Authority.

Ex. M19 13-8-97 Revision petition submitted by the delinquent employee.

Ex. M20 .. Revisional authorities Orders on Revision petition.

Ex. M21 8-10-97 Divisional office letters.

नई दिल्ली, 1 मार्च, 2001

का.आ. 643.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसूचन में केन्द्रीय सरकार एस.ई. रेलवे के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण/धम न्यायालय विशाखापट्टनम के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-02-2001 को प्राप्त हुआ था।

[सं. एन-41014/01/2001-आई आर (बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 1st March, 2001

S.O. 643.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal/Labour Court, Visakhapatnam as shown in the Annexure in the Industrial Dispute between the employers in relation to the

management of S. E. Railway and their workman, which was received by the Central Government on 28-2-2001.

[No. L-41014/01/2001-IR(B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE

IN THE COURT OF INDUSTRIAL TRIBUNAL-CUM- LABOUR COURT, VISAKHAPATNAM

PRESENT:

Sri K. Veerapu Naidu, B.Sc., B.L.,

Chairman & Presiding Officer.

Dated: 27th day of December, 2000

I.T.I.D. (C) No. 9/99

Petition filed under Section 2A(2) of the I.D. Act

BETWEEN

K. Venkateswarlu,
Releaving Clerk,
Kirandol S. E. Railway,
Visakhapatnam,
C/o K. S. Subhadra,
D. No. 7/128, Santhoshinagar,
Simhachalam,
Visakhapatnam.

.... Workman

AND

1. General Manager,
S. E. Railway,
Garden Reach,
Calcutta.

2. Divisional Commercial Supdt.,
S. F. Railway,
Dondaparthi,
Visakhapatnam.

3. Divisional Railway Manager,
(T)/Waltair,
Visakhapatnam.

.... Management

This dispute coming on for final hearing before me in the presence of Sri A. Jagadeeswara Rao, advocate for workman and Sri S. Raghuvir, advocate for management, upon hearing the arguments of both sides and on perusing the entire material on record, the court passed the following:

AWARD

(1) This is an application filed under Section 2A(2) of the Industrial Disputes Act, 1947 for reinstatement with back-wages and continuity of service and other attendant benefits.

(2) The petitioner used to serve as a clerk in South Eastern Railways since 1975. While he was serving as releaving clerk at Kirandol Station, the inspection squad lodged a complaint against the petitioner alleging that he misappropriated railway cash to a tune of Rs. 1643 by resorting to manipulating the station records, interpolation of printed card tickets and paper tickets in the stations copy of N.I. statement as 'non-issued' etc., between the period from 1-9-82 to 17-2-83 in respect of the tickets issued to T.C.R. CCNR etc. Hence it is contravention of Rule 3.1(i) of the Railway Service (conduct) Rules, 1966. Subsequently the charge was amended stating that the railway cash to a tune of Rs. 1643 and Rs. 3696 to be added and the Divisional Railway Commercial Superintendent conducted an enquiry and issued removal orders from the service vide his Orders No. WC1/8 TIA RF VZM/6/83/16 dtd. 4-4-85 to the petitioner and the said dismissal order is illegal and the punishment is disproportionate and it is in violation of the principles of natural justice and no reasonable opportunity was given to him under article 311 of constitution. The appeal preferred by him was also rejected and the petitioner also preferred revision before the general manager, S. E. Railway, Calcutta and the said revision is also dismissed confirming the removal order of the petitioner.

(3) It is the further case of the petitioner that he never committed any misappropriation of the amount while discharging his duties of releaving clerk at Kirandol. Hence this application.

(4) The management filed its counter stating that the petitioner was dismissed from service on 4-4-85 i.e. 14 years ago and hence the petition is barred by limitation in the A.P. Amendment Act 1987 and it does not apply to the Central Government Establishments. The complaint alleged against him is correct and the applicant was charge sheeted for misappropriation to a tune of Rs. 5339 and the disciplinary proceedings were conducted under the Railway Service Conduct Rules 1966. The appeal preferred by him to the General Manager, S. E. Railway was also disposed on in February, 1988. There is no irregularity nor any illegality in the enquiry held in this case and the punishment is not disproportionate and absolutely no grounds to interfere with the said findings. Hence the petition is liable to be dismissed.

(5) Before this Tribunal, the workman examined WW1 and 2 and got marked Exs. W1 to W8. On behalf of the management, one P. S. R. Anjanoyulu, Asst. Commercial Manager, Visakhapatnam is examined as MW1 and got marked Exs. M1 and M2.

(6) Heard both sides.

(7) The point that arises for consideration in this case is:

Whether the petitioner is entitled for reinstatement with back wages and continuity of service as prayed for?

(8) The case of the petitioner is that a false charge is levelled against him. It is alleged against the petitioner that while he was working as releaving clerk at Kirandol, he misappropriated a sum of Rs. 5339 during the period from 1982 to 17-2-85. A regular enquiry was ordered as per the provisions of Railway Services (Disciplinary and Appeal) Rules, 1968 and the Gazette copy of the rules marked as Ex. M1 and the principles of natural justice was also followed and an ample opportunity was given to the petitioner to establish his innocence and an enquiry officer was appointed and in the enquiry the charges held to be proved and the enquiry report was communicated to the petitioner workman Basing on the enquiry report only, the punishment of dismissal was ordered under Ex. W1 dated 4-4-85. The workman preferred appeal and the same was also dismissed under Ex. W2 dated 30-7-85 and he preferred revision and the same was also dismissed vide Ex. W3 dated 13-2-88 and he filed a review application before the General Manager S. E. Railways, Calcutta which is marked as Ex. W4 dated 5-1-93 and later the workman made representations under Exs. W5 to W7. Therefore, the removal of the applicant under Ex. W1 order is in accordance with the procedure and the principles of natural justice.

(9) The learned counsel appearing for the workman alleges that the enquiry is purfunctory and the punishment of removal is illegal and disproportionate. But he is not specific as to what is the irregularity and illegality committed by the enquiry officer or by the management while imposing the punishment on the petitioner. The workman admitted that an enquiry was held and the domestic enquiry report was not filed before this court. The workman is examined as WW1. His evidence is that he was not given any opportunity to establish his innocence. The inspector, who allegedly detected the fraud, was not examined and the petitioner was not shown even the station records nor any show cause notices were given. Except issuing the charge sheet, no enquiry was held as per rules and regulations. Hence he filed this application for reinstatement as the order of removal under Ex. W1 is not valid and is liable to be set aside.

(10) The workman deposed these facts, however, he admitted that the removal order Ex. W1 served on him. His case is that he preferred appeal and it was dismissed and Ex. W2 is the said order. Subsequently he preferred a revision and it was also dismissed and Ex. W3 is the order in revision and ultimately he made several representations under Exs. W4 to W7 for reinstatement but no relief was given by the management.

(11) On the other hand, it is the evidence of MW1 that the accounts inspector inspected the records during the periodical inspection and submitted a report, alleging that the workman committed fraud of Rs. 5339 during the period from 1-9-82 to 17-2-85 though Ex. W1 order of removal discloses that the report of the enquiry officer and considered and a copy was also enclosed along with the order to

that report is not forthcoming is neither filed by the workman nor by the management. In the absence of the report we are only left with the oral testimony of WW1 vis-a-vis and Ex. W1, the management also did not choose to file any show cause notice either before ordering to issue charge sheet or after the charges are held to be proved and before imposing the punishment of removal under Ex. W1. Therefore, there are two aspects of the information therefore, we are not having the domestic enquiry report, nor any paper relating to the domestic enquiry proceedings, so as to access whether the enquiry was held in accordance with the principles of natural justice or not. It is for the management to file the said enquiry report as well as the domestic enquiry proceedings. Ex. W1 reveals that an enquiry was held. Therefore, it is a case where the management is suppressing the documents, as such, an adverse inference is to be drawn against the case of the management and the case of the petitioner is to be accepted that the enquiry conducted in this case is not in accordance with the procedure and the principles of natural justice. Further, the management did not also choose to file any show cause notice to show that it was served prior to the passing of the order of removal-Ex. W1. Therefore, the procedure followed by the management in this case is not proper and it is liable to be vitiated.

(12) Coming to the alleged charges of misappropriation of an amount of Rs. 5339 the Asst. Commercial Manager deposed as MW1. He simply stated that the petitioner committed fraud of Rs. 5339 during the period from 1-9-82 to 17-2-85. He deposed that as a booking clerk, the petitioner was entrusted the tickets, and he has to show the tickets sold to the passengers, and remitting the cash balance. He has shown some tickets not issued, though he sold away them and misappropriated those amounts. The Accounts Inspector, inspected the records during the periodical inspection and submitted a report and those tickets which were not issued and expected to be sent to Head Quarter at Calcutta. That Accounts Inspector was not examined before this Tribunal nor the records pertaining to his inspection and his report were not forthcoming. It is the further evidence of MW1 that though in records, he mentioned he sent those tickets, in fact he did not send those tickets and in the office copy he mentioned about sending those tickets. But, in the copies sent to the Head Office and in the statement, he did not mention about sending of those tickets. Therefore by counter checking, this mischief was noticed. Except the testimony of this evidence there is no other material on record to substantiate his evidence. No records are filed nor the domestic enquiry report was submitted, to establish the guilt against the workman. It is also the further evidence of MW1 that the Railways also framed rules and regulations with regard to the discipline of its employees under Railway Servants Discipline Rules, 1968 i.e. under Ex. M1 and the procedure and the regulation are followed, in conducting the enquiry against the petitioner and the principles of natural justice was followed and the petitioner was also given sufficient and adequate opportunity. In the cross-examination he admitted that the facts stated by him in the chief examination is only with reference to the records and due to passage of time the relevant records with regard to omissions of him are no longer available but after holding enquiry only he was removed. He also admitted that he did not see the enquiry report. He also stated that there is no provision for show cause notice. Thus, this evidence of MW1 clearly goes to show that he has no personal knowledge about the enquiry and other things. The concerned officials are not examined nor the records pertaining to the enquiry warning filed. Therefore, as rightly contended by the counsel appearing for the workman an adverse inference is to be drawn against the case of the management.

(13) Of course, it is alleged in the counter that the claim made by this applicant is only after a lapse of 14 years. It is true that there is abnormal delay in approaching the tribunal and the same is to be taken into consideration, but the said delay is one of the reasons for the management's capacity to file the documents, etc. because for every 5 years records will be destroyed as per the practice followed by the railways. It is also stated by MW1 since the petitioner did not make any representation within the period of 5 years the records were destroyed. Therefore, the workman cannot insist this Tribunal to draw an adverse inference against the case of the management. However, the workman filed Exs. W4 to

W7 the representations dated 5-1-93, 26-1-96, 20-1-97 and 1-1-98 to show that he was making some representations periodically to the General Manager. However, there is no material on record to show that these representations were submitted by the workman. The workman also stated that he fell sick from 1987 to 1995. To prove his fitness he filed Ex. W8 medical certificate dated 1-5-2000 issued by one Dr. C. Radhakanth a registered medical practitioner, Visakhapatnam. The certificate is only to prove that he was fit to serve but there is no medical evidence to show that about his sickness during the period from 1988 to 1997 so as to condone the delay in approaching this Tribunal. Of course, the delay is not a ground to reject the grievances of the petitioner-workman, but there is no other material for the workman to show that the enquiry held in this case is not in accordance with the procedure and in violation of the principles of natural justice. If really there was any such irregularity or non-observance of the principles of natural justice, the workman would have not kept quiet for all these years. Though he filed Ex. W4 to W7 to show that he made representations to the General Manager, there is no material on record to support as to the submission of such representations. There is no endorsement nor there are any acknowledgements from the concerned authorities about the submission of these representations Exs. W4 to W7 by the workman. In the absence of any such material, it is very easy for the workman to fabricate these Exs. W4 to W7. It is not the case of the workman that these representations are sent by R.P.A.D. or otherwise, but orally he stated that he made representations that he was regularly corresponding with the management as shown in Exs. W4 to W7. Further, he preferred the appeal and revision and they were dismissed as could be seen from Exs. W2 and W3. The order made in the revision was in the year 1988 and subsequently he kept quiet for about 10 years and odd. If really the petitioner was aggrieved, he would have resorted to approach this Tribunal, for the redressal of his grievance. His failure to do so drawn an adverse inference against the case of the workman.

Therefore, the case of the workman cannot be accepted as true. On the other hand, the enquiry held in this case is held valid and it was proper and because of the affirm of time, the management could not file the record as it was destroyed. Therefore, under the circumstance, I see no merits in this application.

(14) In the result, the petition is dismissed and nil award is passed. No order as to costs in the circumstances of the case.

Dictated to stenographer transcribed by her given under my hand and seal of the court this the 27th day of December, 2000.

K. VEERAPU NAIDU, Presiding Officer

APPENDIX OF EVIDENCE IN ITID (C) 9/90

Witnesses Examined :

For Workman :	For Management :
WW1 : K. Venkateswarlu	MW1 : P.S.R. Anjayulu
WW2 : Dr. Radhakanth	

DOCUMENTS MARKED

For Workman :

Ex. W1 : 4-4-85 : Removal order.
Ex. W2 : 3-7-85 : Orders on the appeal.
Ex. W3 : 13-2-88 : Orders on the revision petition.
Ex. W4 : 5-1-93 : Review application to the General Manager, SE Railway, Calcutta.
Ex. W5 : 26-1-95 : Representation by the workman.
Ex. W6 : 20-1-97 : Representation letter by the workman.
Ex. W7 : 1-1-98 : Representation letter by the workman.
Ex. W8 : 1-5-2000 : Fitness certificate issued by Dr. C. Radhakanth.

For Management :

Ex. M1 : The Railway servants (Discipline and App.) Rules, 1968.

Ex. M2 : The Railway Services (Conduct) Rules, 1966.

नई दिल्ली, 27 फरवरी, 2001

क्रमा. 644 :- औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुमूलन में केन्द्रीय सरकार युनाइटेड इन्शुरेंस कंपनी के मालिकों के संबंध में निोजको और उनके कर्मचारियों के बीच, मनुष्य में विद्विष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/अभ्यन्तरीय, बंगलूर के पंचाट को प्रकाशित करती है जो केन्द्रीय सरकार को 26-2-2001 को प्राप्त हुआ था।

[स. एल-17012/176/90-आई आर (बी-II)]

सी. गंगाधरन, अवर सचिव

New Delhi, the 27th February, 2001

S.O. 644.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour Court, Kanpur as shown in the annexure in the Industrial dispute between the employers in relation to the management of United India Insurance Co. Ltd. and their workman, which was received by the Central Government on 26-2-2001.

[No. L-17012/176/90-IR(B-II)]

C. GANGADHARAN, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, SARVODAYA NAGAR, KANPUR

SUBJECT :—Clarification U/s 36(4) of the Industrial Disputes Act, 1947, regarding interpretation of award dated 5-3-97 rendered by this tribunal in I.D. No. 94 of 1991 with reference to the letter of Government of India dated 26-5-2000.

Central Government, Ministry of Labour, vide its notification No. 17012/176/90-IR(B-2) dated 26-6-91 had referred the following dispute for adjudication to this tribunal :—

Whether the action of the management of United India Insurance Co. Limited in imposing a penalty of reduction of basic pay from Rs. 250 to Rs. 195 on Sri C. P. Soni, with effect from the date of receipt of order dated 12-6-85 upto the date of receipt of order dated 30-9-87 is justified?

2. Are the decisions of the Disciplinary Authority (order dated 12-6-85) and Appellate Authority (30-9-87) declining to treat the period of suspension as period spent on duty justified and is the workman entitled to any benefits of full pay and allowances for the period of suspension counting of periods of suspension for the purpose of increment seniority etc.?

3. Is the workman's allegation that his seniority was arbitrarily changed by the management correct?

4. Whether the action of the management in not giving promotion to the workman w.e.f. April 1987 is justified?

5. To what relief, if any, is the workman entitled to?

2. After considering the pleadings of the parties and evidence on the record this tribunal passed an award on 5-3-97. When this award was placed before ALC(C) for its implementation both the parties interpreted the certain paragraphs of this award in their favour and ALC(C) felt difficulty in implementing the award hence he wrote a letter dated 24-6-98 to the Government of India Ministry of Labour for seeking clarification by the tribunal of its award dated 5-3-97 regarding certain observations made by the tribunal in its award.

After getting that letter the Government of India, Ministry of Labour, New Delhi, has referred the matter to this tribunal for interpretation of the award in the light of the letter of ALC(C) Kanpur. After receipt of the letter dated 26-5-2000, notices were sent to the parties who made their respective representation in writing regarding interpretation of the award.

3. I have heard the representatives for both the sides and have gone through the record of the case. The award passed by this tribunal and the interpretation sought by ALC(C) regarding certain observation of this tribunal in the award.

4. The five points which were referred to this tribunal in industrial dispute case No. 94/91 for adjudication were decided by this tribunal against the management, and the orders of punishment mentioned at head Nos. 1 and 2 of schedule of the reference order were held to be unjustified. In the end this tribunal passed following order—

Accordingly my award is that the punishment of concerned workman awarded under head one and two are not justified and the concerned workman will be entitled for all benefits as if he was not awarded any punishment. Nothing has been said regarding 3rd and 4th part of the reference, hence they are answered against the concerned workman, it is made clear that the seniority of the concerned workman has been changed and he has not been given promotion on the basis of punishment on the basis of domestic enquiry the same shall not now be obstacle in granting the same by the management :—

The observations of the tribunal which have been referred to this tribunal for interpretation by the government with reference to the letter of ALC(C), dated 24-6-93, whichever follows :—

.....and the concerned workman will be entitled for all benefits as if he was not awarded any punishment.

It is made clear that the seniority of the concerned workman has been changed and he has not been given promotion on the basis of punishment on the basis of domestic enquiry the same shall not now be obstacle in granting the same by the management.

From final order passed by this Tribunal as mentioned above and from the aforesaid observation of this tribunal it is clear that punishments mentioned at head Nos. 1 and 2 of the reference order were found to be unjustified by this tribunal and this tribunal held that the concerned workman will be entitled to all benefits as he was not awarded any punishment. Thus the orders of punishment as mentioned under head Nos. 1 and 2 became non est and they could not be any obstacle in granting service benefits to the concerned workman regarding his seniority and promotion which were adversely affected due to the punishment awarded to him. In other words the concerned workman became entitled to get his original seniority which he was getting in the cadre of Assistant before the punishments were awarded to him, and he became entitled to be considered for promotion from the same date when his next junior was promoted to the post of Senior Assistant and if he was found fit he should be given promotions from the same date when his next junior was promoted. Those benefits are to be given to the concerned workman as if he was not awarded any punishment at any point of time. Finally this tribunal made clear that as the seniority of the concerned workman has been changed and he has not been given promotions on the basis of punishment, the punishment shall not now be obstacle in granting his original seniority in the cadre of Assistant which he was getting before the punishment was awarded to him and was also entitled to be considered for promotion from due date when his next junior was promoted as if the aforesaid punishment was not passed against him.

5. From the record it is clear that the concerned workman had sought his original seniority in his statement of claim with reference to seniority list dated 17-2-87. He had also sought promotions to the post of Senior Assistant w.e.f. April 1987 as he was debarred from his promotion on account of aforesaid punishments awarded to him which have been held to be unjustified by this tribunal. It appears that this tribunal made observations regarding III and IV part of the reference in advertently that nothing has been said on

those points by the workman and they are answered against the workman, specially when the award has granted benefits of seniority and promotions to the concerned workman even before making observations regarding III and IV part of the reference and also in the subsequent part of the award. The observations made on points at head Nos. III and IV part of the reference appear to have been made due to inadvertence and they carry no weight in view of clear findings of this tribunal regarding punishment and also regarding giving him seniority and promotions which were changed and withheld due to the punishments awarded to him.

The award referred to above is clarified accordingly.

Dated : 29th January, 2001

R. P. PANDEY, Presiding Officer

नई दिल्ली, 28 फरवरी, 2001

का.आ. 645 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार यूको बैंक के प्रबंधन के संबंध में निदेशों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, नागपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-2-2001 को प्राप्त हुआ था।

[सं. एल-12012/56/98-आई आर (बी-II)]

सी. गंगाधरण, अवसर सचिव

New Delhi, the 28th February, 2001

S.O. 645.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour Court, Nagpur as shown in the annexure in the Industrial Dispute between the employers in relation to the management of UCO Bank and their workman, which was received by the Central Government on 27-2-2001.

[No. L-12012/56/98-IR(B-II)]

C. GANGADHARAN, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NAGPUR

PRESENT

Shri B. G. Saxena, Presiding Officer.

Reference No. CGIT : 61/2/00

Employers in relation to the Management of UCO Bank

AND

Shri Panchratna Kashinath Nagrale

AWARD

The Central Government, Ministry of Labour, New Delhi, by exercising the powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of section 10 of the Industrial Dispute Act, 1947 has referred this dispute for adjudication vide order No. L-12012/56/98-IR(B, II) dated 30-11-1998 on the following schedule.

SCHEDULE

"Whether the management of UCO Bank city name branch Chandrapur is justified in terminating the services of Sh. Panchratna Kashinath Nagrale w.e.f. 7-5-97 without following the provisions of I.D. Act, 1947. If not, what relief the disputant worker is entitled to?"

This reference was sent by Ministry of Labour to C.G.I.T. Court, Jabalpur on 30-11-98. It has been received in C.G.I.T. Court, Nagpur in April 2000.

The workman Panchratna Kashinath Nagrale has claimed that he was appointed in UCO Bank, Chandrapur in 1989 and his services were terminated on 7-5-1997. He was initially getting payment of Rs. 10 per day. From 25-2-95 he got wages Rs. 20 per day. From 27-10-1996 his rate of wages was increased to Rs. 30 per day. He was working from 10.00 A.M. to 6.30 P.M. He has claimed his reinstatement in service and back wages.

The management of UCO Bank stated that he was not employed by bank and he did not work continuously upto 7-5-97. His appointment was not made according to rules and procedure of the bank for appointment to the post of sub staff. He was paid wages from Miscellaneous expenses for the days, he worked.

I have heard the arguments of the representative of the workman Shri Sahastrabudhe and arguments of the representative of the management of bank Shri Waman Gajanan Joshi.

The statement of witness, workman Panchratna K. Nagrale was recorded on 24-11-2000. In his statement he has admitted that he had not moved any application for appointment to the post of sub staff to any Manager of the bank. No appointment letter was issued to him. He says that he used to work from 10.00 A.M. to 8.00 P.M. It is strange that how he worked for about 10 hours when he was not the employee of the bank. He says that other employees of the bank were always found drunk. He also admits that 3 peons and 1 driver were the permanent employee of the bank and they were drawing regular salary. His statement shows that he used to get Rs. 30 per day. His statement therefore shows that he was not appointed by the bank on any regular post. His statement also shows that he did not get any regular pay or any facility of the bank employee. Thus, the statement of the workman shows that he was not appointed by bank as a regular employee any time.

The workman did not get any appointment letter from the bank. He did not get any regular salary. Hence, he can not be considered as the regular employee of the bank.

If the workman was not appointed according to the prescribed procedure his appointment was of a daily wages worker and his services can be terminated without issuing any notice for termination.

The action of the management in terminating the services of Shri Panchratna Kashinath Nagrale w.e.f. 7-5-97 is therefore justified.

ORDER

The action of the management of UCO Bank city name branch, Chandrapur is justified in terminating the services of Shri Panchratna Kashinath Nagrale w.e.f. 7-5-97.

The workman is not entitled to any relief.

The reference is answered accordingly.

B. G. SAXENA, Presiding Officer

Date : 06-02-2001

नई दिल्ली, 28 फरवरी, 2001

का.आ. 646 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार यूको बैंक के प्रबंधन के संबंध में निदेशों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, नागपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-2-2001 को प्राप्त हुआ था।

[सं. एल-12012/58/98-आई आर (बी-II)]

सी. गंगाधरण, अवसर सचिव

New Delhi, the 28th February, 2001

S.O. 646.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour Court, Nagpur as shown in the annexure in the Industrial Dispute between the employers in relation to the management of UCO Bank and their workman, which was received by the Central Government on 27-2-2001.

[No. L-12012/58/98-IR(B-II)]

C. GANGADHARAN, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NAGPUR

PRESENT:

Shri B. G. Saxena, Presiding Officer.

Reference No. CGIT : 48/2000

Employers in relation to the Management of
UCO Bank

AND

Shri Hukumchand Premchand Banjariwale

AWARD

The Central Government, Ministry of Labour, New Delhi, by exercising the powers conferred by clause (d) of sub section (1) and sub section 2(A) of section 10 of the Industrial Dispute Act, 1947 has referred this dispute for adjudication vide order No. L-12012/58/98-IR(B. II) dated 29-07-1998 on the following schedule.

SCHEDULE

"Whether the action of the management of UCO Bank in terminating the services of Sh. Hukumchand Premchand Banjariwale is legal and justified? If not, to what relief the said workman is entitled?"

This reference has been received from Ministry of Labour, New Delhi. In the reference the date of termination of service of Hukumchand Premchand Banjariwale is not mentioned.

The workman had submitted his Statement of Claim in C.G.I.T. Court at Jabalpur on 26-10-98. This statement of claim was submitted by the workman himself. The management of UCO Bank disputed the claim of the workman and alleged that the workman was never employed by UCO Bank and his services has not been terminated.

The workman had claimed that he had joined service as sub staff at Chandrapur branch in UCO Bank in 1992. His service were terminated on 28-6-97. He worked for more than 240 days in years 1994, 1995 and 1996. In the year 1997 he worked for 163 days and hence the termination is illegal. He claimed for reinstatement and back wages.

I have considered the arguments of the representative of the workman Shri Sahastrabuddhe, who represent the workman Hukumchand Premchand Banjariwale. From the side of management the case was argued by representative of the UCO Bank.

The statement of workman Hukumchand P. Banjariwale was recorded on 30-11-2000. His statement shows that he worked in Mahakali Branch of UCO Bank from 1989 to 1991. No record for this period of his employment has been submitted. He further represented that he was transferred to Chandrapur Main Branch in 1992. No transfer order has been filed in the court.

The workman further stated that he had not received any appointment letter from the Branch Manager of the bank Shri Kulkarni. He also did not receive any termination order. No show cause notice was given to him prior to his termination. The statement of the witness in cross examination dtd. 30-11-2000 clearly shows that neither he was appointed by the bank through any procedure prescribed by the bank nor any termination order was issued to him. His statement also does not shows that he got any regular salary or any

other benefits of the employee of the bank. Even the statement of claim shows that he was being paid wages Rs. 10 per day and subsequently his rate was enhanced to Rs. 20 per day. Thus, from the statement of claim itself it is evident that he was not appointed on any clear vacancy in the bank for the post of sub-staff.

It is argued from the side of management of the bank that there is standing order dated 20-5-49 regarding the appointment of regular employees in the bank under the direction of Ministry of Finance. If any person is employed for any specific purpose or period by the Branch Manager then he does not get the status of a regular employee.

In view of the circumstances and evidence discussed above there is nothing on record to show the workman was appointed against any clear vacancy and he had received any therefore legal and justified.

The order of management of UCO Bank in terminating services of Shri Hukumchand Premchand Banjariwale is therefore legal and justified.

ORDER

The action of the management of UCO Bank in discontinuing the services of Hukumchand Premchand Banjariwale is legal and justified.

He is not entitled to any relief claimed by him.
The reference is answered accordingly.

B. G. SAXENA, Presiding Officer

Date: 06-02-2001

नई दिल्ली, 28 फरवरी, 2001

का.प्र. 647.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार इंडियन बैंक के प्रबंधन के संबंध निरोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, चेन्नई के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-2-2001 को प्राप्त हुआ था।

[सं. एल-12012/90/98-आई आर (बी-II)]

सी. गंगाधरण, प्रवर सचिव

New Delhi, the 28th February, 2001

S.O. 647.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour Court, Chennai as shown in the annexure in the Industrial Dispute between the employers in relation to the management of Indian Bank and their workman, which was received by the Central Government on 27-2-2001.

[No. L-12012/90/98-IR(B-II)]

C. GANGADHARAN, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHENNAI

Tuesday, the 9th February, 2001

PRESENT:

K. Karthikeyan, Presiding Officer.

Industrial Dispute No. 37/2000

[In the matter of the dispute for adjudication under Section 10(1)(d) and Sub-section 2(A) of the Industrial Disputes Act, 1947 between the Claimant and the Management, The General Manager, Indian Bank, Chennai.]

BETWEEN

The General Secretary,
Indian Bank Employees Assn.,
Chennai.

Claimant/I Party

AND

The General Manager,
Indian Bank,
Chennai.

Management/II Party.

APPEARANCES:

For the Claimant : Shri D. Hariparanthaman, V. Ajoy Khose, P. Vijendran.

For the Management : M/s. Aiyar and Dolia, Advocates.

Reference No. L-12012/90/98 IR(B-II) dated 28th February, 2000, Government of India, Ministry of Labour, New Delhi.

This dispute on coming up before me for final hearing on 23-1-2001, upon perusing the reference, claim statement, counter statement and other material papers on record, the oral evidence of both the parties and documentary evidence let in on the side of the Management and upon hearing the arguments of the counsel for the Claimant Shri D. Hariparanthaman and the counsel for the Management, M/s. Aiyar and Dolia and this dispute having stood over till this date for consideration this Tribunal passed the following:—

AWARD

This reference by Central Government in the exercise of the powers conferred by Clause (d) of sub-section (1) and Sub-section 2(A) of Section 10 of Industrial Disputes Act, 1947 in respect of dispute between Shri P. Ethiraj, Workman and the General Manager, Indian Bank, Chennai, Management, mentioned as Schedule appended to the order of reference.

The Schedule reads as follows:—

"Whether the action of the management of Indian Bank in terminating the services of Shri P. Ethiraj, Jewel Appraiser of P. V. Kalathur branch is justified and legal? If not, what relief is the disputant concerned entitled to?"

On receipt of this reference, this Industrial Dispute has been taken on file of this tribunal on 4-3-2000 as Industrial Dispute No. 37/2000. On receipt of the notice from this tribunal, both the parties, appeared with their respective counsel and filed their respective claim statement and counter statement.

2. The averments of the claim statement of the Claimant/I Party are briefly as follows:—

The first party claimant, the General Secretary, Indian Bank Employee Association, Chennai (hereinafter refer to as the Petitioner) has raised this Industrial Dispute espousing the cause of Shri P. Ethiraj, a member of the union. The concerned disputant Shri P. Ethiraj was employed as a Jewel Appraiser in P. V. Kalathur Branch of the II Party Bank (hereinafter referred to as the Respondent) from 1977. During 1986, the jewel loan was sanctioned to a party based on some jewels which was later found to be spurious. On that particular date many jewel loans were granted. Since he had to assess and appraise jewels for many loans, it was not able to be deducted at the time of pledge. On coming to know about this, immediately, Mr. Ethiraj, contacted the party to redeem the jewels and the party had also redeemed the jewels. However, Mr. Ethiraj was denied employment from 29-9-87 without any notice and without any rhyme or reason. Thereafter Mr. Ethiraj approached the Bank several times and requested to reinstate him in service. But there was no response. Hence, he made a written representation and requested the Bank to provide him employment. As there was no reply, he sent letters dated 4-10-93, 4-7-95 and 15-2-96 and requested the Bank to reinstate him in service. Since,

there was no reply from the Bank for any of his written representation and the issue relating to his non-employment, the Petitioner Union has taken up the matter before the Regional Labour Commissioner (C) at Chennai for conciliation. The Management in their remarks filed before the conciliating authority contended that the punishment imposed on Mr. Ethiraj was justified on the ground that the Bank was a financial institution. The Bank never denied that the termination was without any enquiry and the workman concerned was not at all given any opportunity to explain and put forth his case. The Petitioner filed their rejoinder categorically stating the provisions of the awards, statements and circulars regarding the procedures for disciplinary action and they were not followed in the case of Mr. Ethiraj. Petitioner also contended that the action of the Management in terminating the services of Mr. Ethiraj was in utter disregard of the principles of natural justice. As the conciliation was ended in failure, a failure report was sent to the Government. Instead, of referring the dispute for adjudication, Government of India by an order dated 20-10-98 declined to refer the dispute on the ground that the jewel appraisers are not workmen and there was no relationship of master and servant, when it was not even the plea of the Management. The Petitioner Union filed W.P. No. 19997 of 1998 in the Honourable High Court to quash the Government Order dt. 20-10-98. The said writ petition was allowed and thereafter the Government of India referred this dispute for adjudication. The action in terminating the services of Shri P. Ethiraj, is wholly illegal unjust and arbitrary. The Honourable Industrial Tribunal of Madras passed an award in the Industrial Dispute No. 25/77 on 3-12-79 holding that the appraisers are entitled to wages and other conditions of service applicable to regular clerical staff as part-time employees of the Bank and that they would be entitled to half of the wages and benefits of clerical staff with effect from 1-4-77, the date of reference. The bank filed writ petition and thereafter writ appeal before the High Court and the award was upheld. Thereafter the bank took up the matter before the Honourable Supreme Court as special leave petition and the same was rejected by the Supreme Court on 10-10-90 confirming the award. Thereafter, the Bank framed a scheme called Scheme of Service Conditions of the Jewel Appraisers based on the award and regularised the jewel appraisers as part time clerical staff in 1/2 scale of pay and other benefits of the clerical staff with effect from 1-4-77 and also paid arrears from 1-4-77 to all the jewel appraisers. Mr. P. Ethiraj was also paid arrears from 1-4-77 to 24-9-87. In fact, as per the above award and scheme, Mr. P. Ethiraj was also deemed to be regularised as part time clerical staff with effect from 1-4-77. Therefore, terminating the services of Mr. Ethiraj, a regular workman without issuing any notice and without following any procedure contemplated under law is illegal and arbitrary. The Bank itself stated in the scheme relating to jewel appraiser that the jewel appraisers will be subject to the jurisdiction of the disciplinary authorities for award staff of the branches in which they are posted and the disciplinary proceedings will be governed by the provisions of section 19(12) of the bipartite settlement dated 19-10-66. Hence, the action of the Bank Management in terminating the services of Mr. P. Ethiraj without following the procedures of disciplinary action for award staff is illegal and violative of the whole scheme and bipartite settlement. Any dismissal or discharge for misconduct shall be preceded by a fair properly conducted enquiry either in accordance with the certified standing orders or in accordance with the principles of natural justice. But in this case, admittedly when Mr. Ethiraj has been terminated/dissolved as a punishment for misconduct, the Respondent ought to have conducted enquiry either in accordance with the bipartite settlement or in accordance with the principles of natural justice. Not doing so is illegal and violative of the judgement of the Supreme Court. The Respondent before resorting to dismissal by way of punishment had not issued any charge sheet and informed the workman about the misconduct alleged against him and he had not conducted any enquiry to prove the misconduct. No reason was given by the respondent for dispensing with the enquiry. The

workman had not been informed of about the reason for his termination. He had been denied opportunity to explain and put forth his case. Therefore the action of the Respondent in terminating the services of Mr. Ethiraj was in utter disregard of and in flagrant violations of the principles of natural justice. It is a violation of articles 14 and 21 of the constitution. In any event since the termination was only for negligence and when it was not willful or intentional and There was no loss to the bank and when his entire past record was clean and unblemished one, the punishment of dismissal from service amounts to victimisation, unfair labour practice and colourful exercise of powers and the dismissal is exercise and disproportionate. If the termination was not for any misconduct, it amounts to retrenchment and it is void ab initio as a mandatory obligation under section 25(f) had not been complied with by the Respondent before terminating his services. Hence, it is prayed that this Honourable Tribunal may be pleased to pass an award holding that the action of the Management in terminating the services of Sh. P. Ethiraj, jewel appraiser of P. V. Kalathur Branch as illegal and unjustified and consequently direct the Management to reinstate Sh. P. Ethiraj as a regular part time jewel appraiser, with continuity of service, backwages and other attendant benefits.

3. The averments in the counter statement of the Respondent/II Party Management are briefly as follows :—

The Petitioner Association raised this Dispute only on 15-3-96, after a delay of about 9 years from the date of alleged non employment. The terms of reference are incompetent and are liable to be rejected on the ground that they are vitiated by laches and belatedness. Hence the Honourable court may be pleased to reject the reference on the ground of the dispute having been initiated by laches and belatedness. During 1986 as a jewel appraiser working on commission basis under an agreement, the concerned jewel appraiser Sh. P. Ethiraj examined certain jewels as regard to the quality, quantify and genuineness. It is based upon his certificate jewel loans were advanced at P. V. Kalathur Branch. It was only in 1987, it came to light that with regard to a particular transaction that he certifies spurious gold jewels as genuine gold jewels based on which loan was advanced to the party concerned. But for the inspection made by the Bank, it would not have come to light at all. It is not correct for the Petitioner to allege that on any date during 1986, there were many jewels loans granted. Even assuming that very many jewels were verified and certified Mr. P. Ethiraj by virtue of being a professional man and goldsmith cannot get himself absorbed of his responsibility to certify genuine gold jewels. In 1987, after inspection Sh. P. Ethiraj contacted the party to redeem the spurious jewels and the party also redeemed the spurious jewels does not absolve Sh. Ethiraj of his guilt. It was on account of his own making and conduct, he ceased to be the jewel appraiser of P. V. Kalathur Branch. It was only on account of his own conduct, he was not approaching the Bank right from 1987 upto 1993 seeking any relief. During the pendency of W.P. and W.A. and till 10-10-90, all the jewel appraisers were treated only as persons engaged on contract under individual

agreements. Thus, there is no scope for holding any enquiry against Sh. Ethiraj. Hence the allegation that no opportunity was given to Sh. Ethiraj or that no enquiry was conducted are without substance. As on 1987, there was no scheme in contemplation specifically intended for the jewel appraisers engaged on commission and contract basis. Factually, in 1987 Sh. Ethiraj was only a jewel appraiser engaged on commission basis under specific agreement. He admitted the position that he was guilty of certifying spurious jewels as genuine gold jewels, only after the same was detected by the Bank in 1987 and on that factual basis, he was keeping quite till 4-10-93, when for the first time he sought to send the letter. It was because, he came know in 1992 that the Bank had formulated a scheme making the jewel appraisers as part time clerks of the Bank. Nothing prevented Sh. Ethiraj or the Petitioner's Assn to espouse the cause of Sh. Ethiraj to approach the bank for job even before the implementation of the scheme. It was only on account of the fact that Ethiraj is guilty of his serious misconduct neither he nor the Petitioner Assn. choose to raise any dispute relating to the non-employment of Sh. Ethiraj. A case of negligence is sought to be pleaded. Being engaged as an appraiser in a banking institution which deals with public money cannot afford to be negligent, because, based on his certification amounts were advanced to the public. Hence, the Bank cannot continue the services of a person whose integrity and honesty were found to be doubtful. Only realising these positions, Ethiraj himself did not stake any claim for well over a period of 6 years. He having ceased to be the jewel appraiser from 1987 there was no scope for implementing the scheme by holding enquiry afterwards. There is no scope for the Petitioner to invoke article 14 or article 21 of the constitution of India. When loans were advanced based on his certification while being the appraiser of the Bank, the negligence exhibited was grave and serious. Further, he took steps to approach the customer only after inspection and not before that. He committed an act which made the Bank to loose confidence in him. This act done by him by itself is very serious in nature, which disables the Bank to take a lenient view in the matter. He ceased to be the jewel appraiser of the Bank which is neither excessive nor disproportionate to the act of his misconduct admittedly committed by him. The question of there being any retrenchment does not arise because Mr. Ethiraj was only a jewel appraiser on contract basis during 1987 and he ceased to be such jewel appraiser on account of his own misconduct. The allegation as to unfair labour practice, victimization are without substance. Hence this Honourable court may be pleased to dismiss the claim of the Petitioner Assn. and reject the reference.

4. The Respondent has filed an additional counter alleging that from the old records of the years 1985 to 1987, it came to light, that the concerned jewel appraiser has certified as many as 8 spurious jewel as genuine gold ornaments and on that basis jewel loans were disbursed. The above facts came to light to the bank only on the inspection made on 30-9-97 by the external auditors after the jewels were re-appraised by another jewel appraiser of ozhalur branch. As a matter of fact, the said Ethiraj on 3-11-87 had admitted in writing that he arranged for

pledge of spurious jewels and had arrived the monetary benefits. The record showed that he had deliberately and intentionally certified the spurious ornaments as genuine gold ornaments for his own benefit as admitted by him. It is in this background, Sh. Ethiraj ceased to come to the bank subsequent to the above inspection by external auditors. As a matter of fact, Sh. P. Ethiraj by his letter dt. 27-6-91 requested the bank to settle PF dues after acknowledging the receipt of all other benefits.

5. When the matter was taken up for enquiry, the then Manager of P. V. Kalathur Branch was examined as M.W.1 and the Ex. M1 to M14 were marked. On the side of the Petitioner, the concerned jewel appraiser was examined as W.W.1 and the Exhibits W1 to W5 and Ex. M12 were marked. Then the arguments of the counsel on either side were heard.

6. The point for my consideration is :—

Whether the action of the Management of Indian Bank in terminating the services of Sh. P. Ethiraj, jewel appraiser of P. V. Kalathur branch is justified and legal? If not, what relief is the disputant concerned entitled to?

POINT.—It is admitted that the disputant Sh. P. Ethiraj was employed as a jewel appraiser in P. V. Kalathur branch of Indian Bank. In the claim statement, it is not mentioned as to how and under what arrangement Sh. P. Ethiraj was engaged as a jewel appraiser in the Respondent Bank's branch. In the counter statement, it is clearly stated that Mr. Sh. Ethiraj was engaged as a jewel appraiser on commission basis under an agreement. This is not denied or disputed by the Petitioner Union or by the disputant workman himself. As W.W.1, the jewel appraiser P. Ethiraj has admitted in cross examination that he joined as jewel appraiser in the Bank on year to year contract basis. The xerox copies of those contracts dated 20-12-84, 18-12-85 and 18-12-86 are marked by consent of both the parties as Exhibits M1 to M3. From this it is seen that the disputant workman had entered into with the Respondent yearly contracts for doing the work of jewel appraiser of the Respondent Bank's Branch at P. V. Kalathur on contract basis. He further admit in the cross examination that the original contract, under the original of Ex. M3, which he signed in 1986 came to an end on 17-12-1987. It is nobody's case that there was any subsequent contractual agreement between the disputant and the Respondent Bank Branch. From these oral and documentary evidence, it is evidently clear that the disputant Sh. P. Ethiraj was engaged as a jewel appraiser on year to year contract basis in the Respondent Bank Branch of P. V. Kalathur.

7. In para 2 of the claim statement, the Petitioner has stated that Mr. Ethiraj was denied employment from 29-9-87 without any notice and without any rhyme or reason. Nothing has been stated in the claim petition as to whether the said denial of employment for the disputant workman by the Respondent Bank's Branch was oral or by written order. Neither in the claim statement nor in the oral evidence of W.W.1 it is stated that the then Branch

Manager of P. V. Kalathur Branch of the Respondent Bank has stopped the disputant jewel appraiser from service on 29-9-87 or informed him that he will not be allowed to continue the job of jewel appraiser in that bank branch. When the said Branch Manager of the Respondent Bank was examined as the witness for the Respondent Bank Management, nothing has been suggested to him in the cross examination that he only stopped the jewel appraiser Sh. P. Ethiraj on 29-9-87 from service. On the other hand, it is the specific evidence of M.W.1 that the disputant himself has stopped coming to the bank branch to do the work of the jewel appraiser. It is also not the case of the Petitioner or the disputant himself that the Respondent Bank Management has terminated his service of jewel appraiser in the Bank of P. V. Kalathur. The averments in the counter statement of the Respondent that the question of there being any retrenchment does not arise because Mr. Ethiraj was only a jewel appraiser on contract basis during 1987 and ceased to be such jewel appraiser on account of his own misconduct. Further it is alleged in the additional counter of the Respondent that from the old records of the years 1985 to 1987, the fact that the concerned jewel appraiser Sh. Ethiraj had certified as many as 8 spurious jewel items as genuine gold ornaments and on that basis jewel loans were disbursed, came to light to the bank only on 30-9-87 when the external auditors conducted the inspection and after the jewels were reappraised by another jewel appraiser of vadaiur branch. It is further alleged that on 3-11-87 the said Ethiraj had admitted in writing that he arranged for pledge for spurious jewels and had availed the monetary benefits. In para 3 of the claim statement, it is clearly averred that in 1987 after inspection, Sh. Ethiraj contacted the party to redeem the spurious jewels and the party also redeemed the spurious jewels. Though the counsel for the Petitioner prayed time for filing rejoinder after additional counter statement has been filed by the Respondent on 24-10-2000, no reply or rejoinder has been filed by the Petitioner denying the above mentioned averments of facts both in both counter statement and additional counter statement filed by the respondent bank. It is the admission of the petitioner in para 2 of the Claim Statement that Sri P. Ethiraj was employed as Jewel Appraiser in P. V. Kalathur branch of the II Party Bank from 1977 and that during 1986 the jewel loan was sanctioned to a party based on some jewels which was later found to be spurious. On coming to know about this, immediately, Mr. Ethiraj contacted the party to redeem the jewels and the party had also redeemed the jewels. Further, it is the admission of the concerned Jewel Appraiser as WW1 that the people come for inspection used to check the purity of jewels pledged in the bank for jewel loan. When the inspection in question was conducted the regular Manager of the bank was on leave. The acting Manager was in-charge of the bank at that time when the inspection done in September, 1987, they found one of the jewels to be spurious. On inspection the inspection authority found the quality of jewel as less. It is the evidence of MW1, the then Manager of Indian Bank Branch at P. V. Kalathur that when he was on leave and away at Bhubaneswar, he received a telegram from P. V. Kalathur Branch of the Bank informing him to report immediately, as inspection work

in the branch was in progress and on receipt of the telegram, he returned back to the Bank branch. One Mr. Loganathan from the Regional Office from Kanjeeपुरam came on deputation as Branch Manager in his place during his leave period and he informed him about the detection of spurious jewels on which jewel loans have been advanced and the same was brought to light by the inspection done by the Auditors and that acting Manager had sent a report to the Regional Office. It is his further evidence that he has verified the same by examining those eight bags with the help of a jewel appraiser from Ozhalur and found that they are spurious jewels and that on 3-11-1987 when Sri P. Ethiraj, Jewel Appraiser came and met him, he asked him as to why he has certified those jewels as genuine and asked him to give a statement. It is also his evidence that the said jewel appraiser admitted his mistake on his part. So he prepared the statement and read out to him. Thereafter, he signed that statement which was prepared in duplicate. He sent the original statement to the Regional Office and retained the carbon copy in their office file. It is Ex. M1. It is also his evidence that they found out during the year 1984, 1985 and 1986, a total number of eight jewel loans were sanctioned on spurious gold jewels. For the advancement of those jewel loans; ledger entries are in the bank and four of those ledger entries are Ex. M5 to M8 and the concerned ledgers for other loan entries on the spurious gold jewel loans are not available. It is also admitted in evidence that Mr. Ethiraj, Jewel Appraiser himself told him that out of that eight jewel loans advanced on spurious gold jewels, he has availed seven loans and the office copy of the report sent by Mr. Loganathan dated 29-9-97 to the Kanjeeपुरam Regional Office is Ex. M9. In the cross-examination also one Mr. Ethiraj came to the bank and he asked him to give the letter about these spurious jewels and Ex. M4 is the letter he gave on 3-11-87. He has denied the suggestions that Ex. M4 statement has been recorded by him on his own accord and Mr. Ethiraj has not given him one such statement and it is incorrect to state that he has not read over the contents of Ex. M4 to Mr. Ethiraj before he signed the same and it is incorrect to say that by threatening Mr. Ethiraj, he obtained his signature in Ex. M4 statement. When this disputant jewel appraiser has given evidence as WW1, he has deposed that the Manager has obtained his signature in Ex. M4 and he has not written it. It is his further evidence that the Manager has not read over the Ex. M4 to him and he asked him to sign that letter to inform the Head Office for getting him the job. It is not his evidence that the signature in Ex. M4 is not his signature and the Manager in MW1 has obtained his signature in Ex. M4 by threatening him and the said signature has been obtained under threat and coercion. He has also not stated in his evidence that Ex. M4 statement was prepared by MW1 himself on his own accord and Mr. Ethiraj has not given one such statement as it has been suggested to MW1 in the cross-examination by the learned counsel for the Petitioner. A perusal of Ex. M4 clearly shows that spurious jewels has been pledged in the Respondent Bank branch for obtaining jewel loans and it was done by the disputant jewel appraiser Mr. P. Ethiraj himself in the name of various persons mentioned in Ex. M4. It is also mentioned in that statement that all those jewels have been redeemed by steps taken by him. In

the Claim Statement nothing has been disclosed about this statement dated 3-11-1987. Ex. M4 that no such thing had happened and one such statement has been prepared by the then Branch Manager himself and the concerned jewel appraiser was threatened and coerced to sign that statements without being informed about the contents of the statement. If this contention of the Petitioner now is true, the Petitioner would not have omitted to mention the same in the Claim Statement itself. But the Petitioner has fair enough to admit in the Claim Statement that the disputant workman as the then jewel appraiser of the Bank branch was not diligent enough to assess the purity of the gold jewel pledged in 1986. The learned counsel for the Petitioner, who had argued that as admitted by the Petitioner in the Claim Statement only one such incidence had taken place when this disputant workman was as jewel appraiser at the Bank and the same also has been subsequently redeemed, thereby there was no loss to the Bank as such. Under such circumstances, a lenient view can be taken to reinstate the said jewel appraiser in service.

8. The learned counsel for the Respondent had put forth an argument that the concerned jewel appraiser Mr. P. Ethiraj had appraised the jewel as regard to that quality, quantity and genuineness and based upon his certificate only the jewel loans were advanced by the Bank branch. As it has been admitted by him in his evidence as WW1 and the admitted overment in the Claim Petition by the Petitioner, the Respondent Bank branch was made to advance jewel loans on the basis of false certification of the spurious jewels pledged as a genuine gold jewel. The very fact that the concerned jewel appraiser himself contacted the party to redeem the spurious jewels and the party also redeemed that jewel clearly established that Mr. Ethiraj is guilty of serious misconduct. The concerned workman being engaged as a jewel appraiser in a Banking Institution which deals with public money, cannot afford to be negligent because based on his certification only amounts were advanced as loans to the public and hence the Bank cannot continue the services of a person, whose integrity and honesty were found to be doubtful. On the basis of materials available as Ex. M1 to M12 and W1 to W4 in this case, it is seen that the argument advanced by the learned counsel for the Respondent is correct and acceptable. As it is held in the case reported in 1998 3 LLN 89 the Hon'ble Supreme Court "in any banking business absolute devotion, diligence and integrity need to be preserved by every bank employee". This ratio of Hon'ble Supreme Court in that case is quite applicable to the facts of this case.

9. The next argument advanced by the learned counsel for the Petitioner is that the concerned workman Mr. P. Ethiraj was denied employment from 29-9-87 without any notice and without any reason and the Respondent Bank management had not made any reply when Mr. Ethiraj approached the bank several times and requested them to reinstate him in service and for his letters dated 4-10-93, 4-1-95 and 15-2-96 Ex. W1 to W3 no reply was received from the bank and that the termination was without any enquiry and the workman was not at all given any opportunity to explain and put forth his case and the action of the management in terminating the services of Mr. Ethiraj was in utter disregard of principles of

natural justice. It is his further contention that the management before resorting to such dismissal by way of punishment had not issued any charge sheet and informed the workman about the misconduct alleged against him and had not conducted any enquiry to prove the misconduct. Further the management has not given any reason for dismissing from the employment and the workman had been denied opportunity to explain and put forth his case and hence the action of the management is illegal, as the mandatory obligatory under section 25F had not been complied with before terminating his service. For this learned counsel for the Respondent replied that but for the inspection made by the authorities, it would not have come to light that Mr. P. Ethiraj, Jewel Appraiser had certified the suprious gold jewels as genuine gold jewels and only after the detection of the same in the inspection by the officers, he had admitted his guilt. It was only on account of his own conduct he was not approaching the bank right from 1987 upto 1993 seeking any relief. His first letter is only on 4-10-93 as averred in the Claim Statement and in his evidence as WW1. Except his own interested version there is no acceptable or substantial evidence to show that subsequent to 1987 incident of his misconduct, he ever approached the Bank for his job as Jewel Appraiser, till he sent the written requisition in Ex. W1 dated 4-10-93. Till such time the Petitioner Association also has not taken any steps, to espouse the cause of this disputant workman Mr. Ethiraj. Only after coming to know that in 1992 the Bank had formulated a scheme for the jewel appraisers, the Petitioner Association had come forward to espouse the cause of Mr. Ethiraj and not before that, that is only because of the serious misconduct of the concerned workman. It was further argued that as on 1987 there was no scheme in contemplation specifically intended for jewel appraisers engaged on commission and on contract basis. All the jewel appraisers were treated only as persons engaged on contract under individual agreements and there was no scope for holding any enquiry against Mr. Ethiraj immediately after his misconduct has been detected by the inspecting authority for the bank. Under such circumstances, it is incorrect to contend that the concerned workman was not issued any charge sheet informing him about his misconduct and enquiry has to be conducted to prove his misconduct and there was violation of principles of natural justice. Only after the Supreme Court decision on 10-10-1990 confirming the Award of the Industrial Tribunal, the Jewel Appraisers would be treated as deemed to be regularised as part-time clerical staff with effect from 1-4-1977. Hence, non-issuance of any charge sheet for his misconduct and not conducting any domestic enquiry does not at all arise. Further the misconduct has been specifically admitted by the disputant workman Mr. P. Ethiraj himself. Under such circumstances, the arguments advanced by the learned counsel for the Petitioner should not be accepted. A perusal of the materials available in this case would go to show that the arguments advanced by the learned counsel for the Respondent is proper and cannot be rejected as unacceptable.

10. The learned counsel for the Petitioner has represented that this Industrial Tribunal can take lenient view considering the fact that there is only one incidence of misconduct and can set aside the punishment awarded by the Management against the

concerned workman Mr. Ethiraj and consequently direct the management Respondent to reinstate him as a regular part-time appraiser without back wages. This argument of the learned counsel for the Petitioner requesting this Tribunal to take a sympathetic view in respect of imposing punishment for admitted misconduct of the concerned Jewel Appraiser cannot be accepted as a valid argument; It is decided in 1989 2 LLJ 194 by the High Court of Madras that "When the finding is that employee committed fraud continued in employment of the person who committed fraud would be prejudicial to the interest of the bank. The Industrial Tribunal is a judicial forum to record conclusions based on findings and available relevant materials. When the discretion vested with the Tribunal to interfere with the quantum of punishment should be properly exercised by discharging its function judicially and discretion power does not mean licence to direct reinstatement even where it is not warranted and to set aside the order of dismissal when records did not warrant such setting aside the order of dismissal and that Industrial Tribunal cannot interfere with the quantum of punishment, if proved misconduct is grave in nature warranting dismissal from service. It is also held in that decision that employee cannot claim right to commit fraud during the course of employment and employee should maintain ethical standards embodied in rules and regulations and ethical standards cannot be appended on the plea that justice should be rendered with mercy and the employee should maintain minimum standard of integrity and that award of reinstatement and back wages to workman who did not maintain minimum standard of integrity would amount to rewarding fraudulent and dishonest conduct and would be mocking at integrity and honesty of majority of workmen. Order of dismissal cannot be invalidated on the ground of sympathy where such sympathy is misplaced because of proved grave misconduct affair committed by the employee." This ratio in this decision of the High Court of Madras is quite applicable to this present case. Here in this case the concerned workman himself has admitted the misconduct and there are sufficient materials available in this case that the concerned workman Mr. Ethiraj is responsible for the grave misconduct and under such circumstances. In view of the decision of High Court of Madras cited above, the argument advanced by the learned counsel for the Petitioner requesting this Tribunal to show mercy on the disputant workman Jewel Appraiser Mr. P. Ethiraj for his reinstatement of service as a part-time jewel appraiser without back wages cannot be acceptable. Under such circumstances in view of my conclusions above, I am of the considered opinion that the action of the management of the Indian Bank in terminating the services of Mr. P. Ethiraj Jewel Appraiser of P. V. Kalathur Branch is justified and legal and that disputant concerned is not entitled to any relief prayed for by the Petitioner Claimant. Thus, I answer the point accordingly.

11. In the result an Award is passed holding that the relief prayed for by the Petitioner Employees Association which espousing the cause of disputant workman Mr. P. Ethiraj cannot be granted, as concerned workman is not entitled to any relief prayed for. No cost.

Dictated to the Stenographer and transcribed and typed by him and corrected and pronounced by me in the open court on the day, 9th February, 2001.

K. KARTHIKEYAN, Presiding Officer
Witness Examined

For Claimant|I Party : WW1 Sri P. Ethiraj.

For Management|II Party : MW1, Sri. S. Venkatavaradhan.

Documents Marked.

For Claimant|I Party.
Ex. No. Date Description

W1 04-10-93 : Xerox copy of the letter from the I Party to the Management.

W2 04-07-95 : Xerox copy of the letter from the I Party to the Management.

W3 15-02-96 : Xerox copy of the letter from the I Party to the Management.

W4 : Xerox copy of Postal Acknowledgement Card.

W5 : Original Postal Acknowledgement Card.

For Management
Ex. No. Date Description

M1 20-12-84 : Xerox copy of the Agreement between Sri P. Ethiraj and the Management for annual renewal of contract.

M2 18-12-85 : Xerox copy of the agreement between Sri P. Ethiraj and the Management for annual renewal of contract.

M3 18-12-96 : Xerox copy of the argument between Sri P. Ethiraj and the Management for annual renewal of contract.

M4 03-11-87 : Copy of the contention letter of Sri P. Ethiraj.

M5 05-07-85 : Original Ledger page of Jewel loan No. 4570|85.

M6 16-12-85 : Original Ledger page of Jewel loan No. 4712|85.

M7 20-12-85 : Original Ledger page of Jewel loan No. 4720|85.

M8 11-03-86 : Original Ledger page of Jewel loan No. 4798|86.

M9 29-09-87 : Copy of the letter from Manager (Acting) to the Regional Manager, Indian Bank regarding discrepancy found in jewel packets.

M10 13-10-87 : Xerox copy of the Inspection Report of External Auditors.

M11 26-03-91 : Xerox copy of the Award of the CGIT, Chennai in the matter of Jewel Appraisers engaged on contract basis.

M12 27-06-91 : Xerox copy of the letter from the I Party of the Management with regard to PF Settlement.

771 GI|2001—16

नई दिल्ली, 28 फरवरी, 2001

का.आ. 648.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार केनरा बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुवद्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/भ्रमन्यायालय चंडीगढ़ के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-2-01 को प्राप्त हुआ था।

[सं. एल-12012/104/95—आई आर (बी-II)]

सी. गंगाधरन, अवसर सचिव

New Delhi, the 28th February, 2001

S.O. 648.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Chandigarh as shown in the annexure in the Industrial Dispute between the employers in relation to the management of Canara Bank and their workman, which was received by the Central Government on 27-2-2001.

[No. L-12012|104|95-IR(B-II)]

C. GANGADHARAN, Under Secy.

ANNEXURE

BEFORE SHRI B. L. JATAV, PRESIDING OFFICER, CENTRAL GOVT., INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHANDIGARH

Case No. I.D. 84|96

Atma Ram
C/O Arun Ghai,
Canara Bank Staff Union,
B-XI|1662, Rari Mohala,
Ludhiana.
D.G.M. Canara Bank.

Workman.

Circle Office,
Sector-34, Chandigarh

Management.

APPEARANCES :

For the Workman.—None.

For the Management.—Hari Haran.

AWARD

Passed on 7th February, 2001

The Central Govt., vide gazette notification No. L-12012|104|95-IR(B-II) dated 9th September, 1996 has referred the following dispute to this Tribunal for adjudication:

“Whether the action of the Management of Canara Bank represented through D.G.M. Canara Bank, Circle Office, Chandigarh in terminating the services of Shri Atma Ram, a Daily rated sub-staff in Solan branch of the Bank w.e.f. 6-10-86 is legal and justified? If not? To what relief the workman is entitled and from what date?”

2. None has put up appearance on behalf of the workman despite several notice. No claim statement has been filed. Case is pending since 1996. It appears that workman is not interested to pursue with the present reference. In view of the above, present reference is returned to the Appropriate Govt. for want of prosecution. Appropriate Govt. be informed.

Chandigarh.
7-2-2001.

B. L. JATAV, Presiding Officer

नई दिल्ली, 28 फरवरी, 2001

का.आ. 619.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार पंजाब नेशनल बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय चंडीगढ़ के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-2-01 को प्राप्त हुआ था।

[गं. एल-12012/118/95-आई आर (बी-II)]
सी. गंगाधरण, अवर सचिव

New Delhi, the 28th February, 2001

S.O. 649.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Chandigarh as shown in the annexure in the Industrial Dispute between the employers in relation to the management of Punjab National Bank and their workman, which was received by the Central Government on 27-2-2001.

[No L-12012/118/95-IR(B-II)]

C. GANGADHARAN, Under Secy.

ANNEXURE

BEFORE SHRI B. L. JATAV, PRESIDING
OFFICER, CENTRAL GOVT. INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT,
CHANDIGARH

No. ID 49/96

Smt. Sharda Devi
C/o Shri Thakur Singh,
General Secretary,
PNB Staff Association,
R/O Chak Mudhi
P.O. Mudhi,
Distt. Jammu

Workman.

Vs

Regional Manager,
Punjab National Bank,
Gandhi Nagar,

Jammu

...Management.

APPEARANCES -

1. For the workman - None.

2. For the management.—Shri Vinod Kumar,

AWARD

Passed on 1-2-2001

The Central Govt. vide gazette notification No. L-12012/118/95-IR(B-2) dated 30th April, 1996 has referred the following dispute to this Tribunal for adjudication:

“Whether the action of the management of PNB Jammu in terminating the services of Smt. Sharda Devi, Part time sweeper w.e.f. 20-8-92 is legal and justified? If not, what relief is the said workman entitled to?”

2. Today the case was fixed for filling of claim statement. Despite several notices, none has put up appearances on behalf of the workman. It appears that workman is not interested to pursue with the present reference. In view of the above, the present reference is returned to the Ministry for want of prosecution, Appropriate Govt. be informed.

Chandigarh.
1-2-2001.

B. L. JATAV, Presiding Officer

नई दिल्ली, 28 फरवरी, 2001

का.आ. 650.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार सेंट्रल बैंक ऑफ इंडिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय चंडीगढ़ को पंचाट के प्रकाशित करती है जो केन्द्रीय सरकार को 27-2-01 को प्राप्त हुआ था।

[गं. एल-12012/160/95-आई आर (बी-II)]

सी. गंगाधरण, अवर सचिव

New Delhi, the 28th February, 2001

S.O. 650.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Chandigarh as shown in the annexure in the Industrial Dispute between the employers in relation to the management of Central Bank of India and their workman, which was received by the Central Government on 27-2-2001.

[No L-12012/160/95-IR(B-II)]

C. GANGADHARAN, Under Secy.

ANNEXURE

BEFORE SHRI B. L. JATAV PRESIDING
OFFICER, CENTRAL GOVT. INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT,
CHANDIGARH

Case No. 101/96

R. K. Sharma,
Secretary.

Central Bank of India,
Employees Union (Punjab) 1190/37B,
Chandigarh.

...Workman.

Vs.

Chief Manager,
Central Bank of India,
Sector-17B,
Chandigarh.

...Management.

APPEARANCES :

For the Workman.—Workman in person.

For the Management—Shammi Kaplish.

AWARD

(Passed on 7th of February, 2001)

The Central Govt. vide Gazette Notification No. L-12012/160/95-IRB. II dated 16-10-1990 has referred the following dispute to this Tribunal for adjudication:—

“Whether the action of the management of Central Bank of India represented through D.G.M. Central Bank of India, Zonal Office Chandigarh in taking the duties of custodian of lockers and others duties earlier being performed by JM Scale-I from Shri D. K. Sharma Spl. Asstt. w.e.f. 1987 to 8-6-92, without making payment of officiating allowance is justified? If not, to what relief the workman is entitled to and from which date?”

2. Case taken up today. The workman appeared and made the statement that he does not want to pursue with the present reference as he intends to opt for the voluntary retirement scheme of the Bank and requested for no dispute Award. In view of the above, as the workman does not want to pursue with the present reference, the same is returned to the Ministry as no dispute award. Appropriate Govt. be informed.

Chandigarh.
7-2-2001.

B. L. JATAV, Presiding Officer

नई दिल्ली, 28 फरवरी, 2001

का.आ. 651.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार सेंट्रल बैंक ऑफ इंडिया के प्रबंधन के सबद्ध नियोक्तों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, चंडीगढ़ के पचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-2-2001 को प्राप्त हुआ था।

[स.एल.-12012/167/99-आई.आर.(बी-II)]

सी गंगाधरण, अध्यक्ष

New Delhi, the 28th February, 2001

S.O. 651.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour Court, Chandigarh as shown in the annexure in the Industrial Dispute between the employers in relation to the management of Central Bank of India and

their workman, which was received by the Central Government on 27th February, 2001.

[No. L-12012/167/99-IR(B-II)]

C. GANGADHARAN, Under Secy.

ANNEXURE

BEFORE SHRI B. L. JATAV, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHANDIGARH

Case No. I.D. 114/94

R. K. Sharma,

Secretary,

C.B.I. Employees Union (Pb),

Central Bank of India, Sector-17-B,

Chandigarh.

.. Workman.

Vs

Regional Manager, Central Bank of India,
Sector-17, Chandigarh.

.. Management.

APPEARANCES :

For the workman : Workman in person.

For the management : Shri Shammi Kaplish.

AWARD

(Passed on 7th February, 2001)

The Central Govt. vide Gazette Notification No. L-12012/167/94, IR.B.2 dated 26th August, 1994 has referred the following dispute to this Tribunal for adjudication :

“Whether the action of the management of C.B.I. Chandigarh in imposing the punishment of reduction of pay to next lower stage for a period of two years on Shri R. K. Sharma Spl. Asstt. vide order dated 8-2-1991 is justified? If not, what relief is the said workman entitled to?”

2. Case taken up today at the request of the workman. The workman appeared and made the statement that he does not want to pursue with the present reference as he intends to opt for the voluntary retirement scheme of the bank and requested for no dispute award. In view of the above, as the workman does not want to pursue with the present reference the same is answered as No Dispute Award. Appropriate Govt. be informed.

Chandigarh,

7-2-2001.

B. L. JATAV, Presiding Officer

नई दिल्ली, 28 फरवरी, 2001

का.आ. 652.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार पंजाब व स्थिर बैंक के प्रबंधन के सबद्ध नियोक्तों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, चंडीगढ़ के पचाट

को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-2-01 को प्राप्त हुआ था।

[सं. एल-12012/177/99-आई आर (बी-II)]
सी. गंगाधरण, ग्रवर सचिव

New Delhi, the 28th February, 2001

S.O. 652.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour Court, Chandigarh, as shown in the annexure in the Industrial Dispute between the employers in relation to the management of Punjab & Sind Bank and their workman, which was received by the Central Government on 27th February, 2001.

[No. L-12012/177/99-IR(B-II)]
C. GANGADHARAN, Under Secy.

ANNEXURE

BEFORE SHRI B. L. JATAV, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHANDIGARH

Case No. I.D. 139/94

Balwinder Singh son of
Shri Karnail Singh,
VPO. Panniwala Phatta,
Teh. Makout,
Distt. Faridkot-Punjab. . . Workman.

Vs.

Divisional Manager,
Punjab & Sind Bank,
Near Red Cross Bhawan,
Sarak Chowk, Faridkot-Punjab. . . Management.

APPEARANCES :

For the workman : Workman in person.

For the management : Shri J. S. Sathi.

AWARD

(Passed on 23rd of January, 2001)

The Central Govt. vide Gazette Notification No. L-12012/177/99-IR B-2 dated 25th October, 1994 has referred the following dispute to this Tribunal for adjudication :

“Whether the action of the management of Punjab & Sind Bank Faridkot in terminating the services of Shri Balwinder Singh, Armed Guard w.e.f 8-6-93 is legal and justified? If not, what relief is the said workman entitled to?”

2. Today the case was fixed for filing of affidavit by the workman. Today the workman appeared and made the statement that he got the job elsewhere and he does not want to pursue with the present reference and same may be answered as withdrawn. In view of the statement of the workman, the present

reference is returned to the Ministry as withdrawn. Appropriate Govt. be informed.

Chandigarh,
23-1-2001.

B. L. JATAV, Presiding Officer

नई दिल्ली, 28 फरवरी, 2001

का.आ. 653.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार केनरा बैंक के प्रबंधन के सबड नियोजको और उनके कर्मकारों के बीच, अतुल्य में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय चंडीगढ़ के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-2-01 को प्राप्त हुआ था।

[सं. एल-12012/261/91-आई आर (बी-II)]
सी. गंगाधरण, ग्रवर सचिव

New Delhi, the 28th February, 2001

S.O. 653.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour Court, Chandigarh, as shown in the annexure in the Industrial Dispute between the employers in relation to the management of Canara Bank and their workman, which was received by the Central Government on 27th February, 2001.

[No. L-12012/261/91-IR(B-II)]
C. GANGADHARAN, Under Secy.

ANNEXURE

BEFORE SHRI B. L. JATAV, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT CHANDIGARH

Case No. ID 168/91

Bhag Mal Azad son of Sri Lachman Dass

C/o

Shri Arun Ghai, Co-convenor,
B. XI-1662, Rari Mohalla,
Ludhiana. . . Workman.

Vs.

Deputy General Manager,
Canara Bank,
Divisional Bank, Sector-34-A,
Chandigarh. . . Management.

APPEARANCES :

For the workman : Shri O. P. Batra.

For the management : Shri Ashok Jagga with Ashok Kumar.

AWARD

(Passed on 6th of February, 2001)

The Central Govt. vide Gazette Notification No. L-12012/261/91-IR B-II dated 4th November 1991

has referred the following dispute to this Tribunal for adjudication :—

“Whether the action of the management of Canara Bank in stoppage of two increments of Shri Bhagmal Azad, clerk with cumulative effect is justified? If not, to what relief is the workman entitled?”

2. Today the case was fixed for evidence of the parties. The workman appeared and made the statement that he does not want to pursue with the present reference as he opted for the voluntary retirement scheme of the bank and requested for no dispute award. In view of the above, as the workman does not want to pursue with the present reference, the same is returned to the Ministry as no dispute award. Appropriate Govt. be informed.

B. L. JATAV, Presiding Officer
Chandigarh,
6-2-2001.

नई दिल्ली, 28 फरवरी, 2001

का.आ. 654.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेंट्रल बैंक आफ इंडिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय चंडीगढ़ के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-2-2001 को प्राप्त हुआ था।

[सं. एन-12012/266/92—आई आर (बी-II)]
सी. गंगाधरण, अव्वर सचिव

New Delhi, the 28th February, 2001

S.O. 654.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour Court, Chandigarh, as shown in the annexure in the Industrial Dispute between the employers in relation to the management of Central Bank of India and their workman, which was received by the Central Government on 27th February, 2001.

[No. L-12012/266/92-IR(B-II)]
C. GANGADHARAN, Under Secy.

ANNEXURE

BEFORE SHRI B. L. JATAV, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT

CHANDIGARH

Case No. ID 5/93

Bal Krishan,

C/o

Secretary,
C.B.I. Employees Union,
811, Phase-II, Urban Estate,
Focal Point, Ludhiana.

.. Workman.

Vs.

Regional Manager,
Central Bank of India,
427-A, Krishna Nagar,
Chumar Mandi, Ludhiana. .. Management.

APPEARANCES :

For the workman : None.

For the management : Shri D. K. Chadha.

AWARD

(Passed on 15-2-2001)

The Central Govt. vide gazette notification No. L-12012/266/92-IR(B.2) dated 21st December, 1992 has referred the following dispute to this Tribunal for adjudication :

“Whether the action of the management of CBI in inflicting punishment on Shri Bal Krishan, Peon by stopping one increment justified? If not, to what relief is the workman entitled?”

2. Case repeatedly called. None appeared on behalf of the workman despite several notices. It appears that workman is not interested to pursue with the present reference. In view of the above situation, present reference is returned to the Ministry for want of prosecution. Appropriate Govt. be informed.

B. L. JATAV, Presiding Officer
Chandigarh,
15-2-2001.

नई दिल्ली, 28 फरवरी, 2001

का.आ. 655.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार केनरा बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय चंडीगढ़ के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-2-2001 को प्राप्त हुआ था।

[सं. एन-12012/299/91—आई आर (बी-II)]
सी. गंगाधरण, अव्वर सचिव

New Delhi, the 28th February, 2001

S.O. 655.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour Court, Chandigarh, as shown in the annexure in the Industrial Dispute between the employers in relation to the management of Canara Bank and their workman, which was received by the Central Government on 27th February, 2001.

[No. L-12012/299/91-IR(B-II)]
C. GANGADHARAN, Under Secy.

ANNEXURE

BEFORE SHRI B. L. JATAV, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT CHANDIGARH

Case No. ID 28/92

Sukhwant Singh,
C/o Arun Ghai
Canara Bank Staff Union,
D-XI, 1662, Rari Mohalla,
Ludhiana (Punjab).

.. Workman.

Versus

General Manager,
Canara Bank,
Sector-17, Chandigarh.

.. Management

APPEARANCES :

For the workman : None.

For the management : Ashok Paul Jagga.

AWARD

(Passed on 25th January, 2001)

The Central Govt. vide Gazette Notification No. -12012/299/91-IR(B-2) dated 26th of March 1992 has referred the following dispute to this Tribunal for adjudication :—

“Whether the action of the management of Canara Bank in stopping Spl. Allowance to Shri Sukhwant Singh, Daftry, in Morara Branch is justified? If not, to what relief is the workman entitled?”

2. Today the case was fixed for appearance of the workman. Despite several notices none has put up appearances on behalf of the workman. It appears that workman is not interested to pursue with the present reference. In view of the above, the present reference is returned to the Ministry for want of prosecution. Appropriate Govt. be informed.

B. L. JATAV, Presiding Officer

Chandigarh.

1-1-2001.

नई दिल्ली, 28 फरवरी, 2001

का.प्र. 656—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में,्रीय सरकार पंजाब एवं सिंध बैंक के प्रबंधन के उद्देश्य नियोजकों और उनके कर्मचारों के बीच, अनु-में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय चंडीगढ़, के पंचाट को प्रका-त करती है जो केन्द्रीय सरकार को 27-2-2001] प्राप्त हुआ था ।

[सं. एल-12012/326/87-आई आर डी II(ए)]

सी. गंगधरान, सचिव

New Delhi, the 28th February, 2001

S.O. 656.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour Court, Chandigarh as shown in the annexure in the Industrial Dispute between the employers in relation to the management of Punjab & Sind Bank and their workman, which was received by the Central Government on 27 February, 2001.

[No. L-12012/326/87-IR/DH]

C. GANGADHARAN, Under Secy.

ANNEXURE

BEFORE SHRI B. L. JATAV, PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHANDIGARH.

Case No. I.D. 13/88

Surinder Pal Singh,
C/o Shri Tek Chand Sharma,
25, Sant Nagar, Civil Lines,
Ludhiana

... Workman

Vs.

The Asstt. General Manager,
Punjab & Sind Bank,
Sector-17-B,
Chandigarh

.. Management

APPEARANCES :

For the workman : None.

For the management : Shri P. P. Singh, Advocate.

AWARD

(Passed on 31st January, 2001)

The Central Govt. vide Gazette Notification No. L-12012/326/87-D. II(A) dated 1st March, 1988 has referred the following dispute to this Tribunal for adjudication :

“Whether the action of the Punjab & Sind Bank in terminating the services of Shri Surinder Pal Singh, deposit Collector with their Civil Lines, Ludhiana Branch w.e.f. 31-3-1986 is justified? If not, to what relief the workman concerned entitled?”

2. The case of the workman in brief is that he was appointed as a deposit collector on 2-2-1980. He continued to work as deposit collector till 31-3-1986. He had been doing the duties of ledger posting, maintenance of index register of Chhoti Bachat Scheme Account, maintenance of subsidiary book and maintaining the balances etc. and doing the other duties as required by the manager of the branch at Khanna. He had been working under the control of the branch manager for all purposes and used to be paid monthly wages on performance basis regularly. He used to receive cash from depositors of the bank by rendering services at their door steps according to the scheme and policy of the bank. He maintained the books of the bank regularly which were checked by the superior concerned regularly. The services of the workman was terminated on 31-3-1986 without giving any chargesheet. No inquiry was held by the Management. The notice of one month was not given to him by the Bank. Thus

his service, were terminated illegally contravening the provisions of law.

3. At the time of his termination junior person were retained in service by the bank and new employees were also employed, but opportunity was not given to the workman for employment though the post and the work was of permanent nature. The workman is entitled to be reinstated with full back-wages and all benefits

4. As per written statement filed by the management the case in brief is that the workman was not the regular employee of the bank. The relationship of master and servant between them did not exist. Therefore, he is not workman as defined in I.D. Act 1947. He was enrolled as an agent under the Chhoti Bachat Scheme to collect deposit from the depositors of the bank. He was required to carry out this functions only as an agent and not to perform any other banking work. He was independent agent for the performance of collecting small deposits from small depositors. He was never paid any monthly remuneration but commission was paid to him on the amount of deposits collected by him. The Chhoti Bachat Scheme was found by the bank uneconomical and fraud prone. Therefore, the bank decided to wind up the same scheme. After winding up the scheme the agency of the workman was no longer required which was discontinued by the bank. His service was not terminated but his agency was discontinued. Therefore, he is not entitled to get any relief from the management. His claim statement deserves to be dismissed.

5. In this case the date of appointment and date of termination are admitted facts. It is also an admitted fact that the workman had worked as a deposit collector at Khanna branch of the bank

6. In this case workman filed his affidavit. He was directed to appear in person in this Tribunal for cross-examination but he did not appear to face the cross-examination. He remained absent, therefore, the case was proceeded ex parte against him

7. The management has filed the affidavit of T.P.S. Gujral. The rep. of the management has not examined Shri T. P. S. Gujral because no representative of the workman was present for cross-examine the deponent of the management. Under these circumstances, this case has to be decided on the basis of affidavits.

8. Shri Surinder Pal Singh has deposed in his affidavit that he was employed by the bank as deposit collector and he was the employee of the bank. Monthly wages were paid to him. He was working under the control of branch manager and performed the duties of a bank employee. The witness of the management Shri T. P. S. Gujral has deposed that the workman was appointed as an agent under the Chhoti Bachat Scheme. He was paid commission as per agreement entered into between the bank and the workman. In this case the management has not submitted the agreement and other documents. The workman has also not submitted any document in support of his claim. Therefore, this case rests upon oath against oath. Now the question arises to consider that whose oath should be relied upon.

9. In this case the workman was directed to appear, for cross-examination but he did not do so. The burden of proving the allegations made in the Claim statement is upon the workman. Under these circumstances, the oath of Shri T. P. S. Gujral deserves to be relied upon. As per his affidavit the workman was paid 34% commission on deposit collected by him. The workman was not getting any wages from the management. Therefore, he can not be termed as workman under the provisions of I. D. Act 1947. When he is not a workman the provisions of Section 25-F do not apply. Therefore, the termination of the workman is legal and justified. The reference is therefore, is to be answered against the workman.

10. On the basis of appreciation of evidence made in the preceding paragraph of this award, the reference is answered that the action of the management of Punjab & Sind Bank in terminating the services of Shri Surinder Pal Singh deposit collector is justified. He is not entitled to get any relief from the management. The parties shall bear their own cost of this proceedings. Appropriate Govt. be informed.

B. L. JATAV, Presiding Officer

Chandigarh,

31-1-2001.

नई दिल्ली, २८ फरवरी, २००१

का.आ. ६५७—औद्योगिक विवाद अधिनियम, १९४७ (१९४७ का १४) की धारा १७ के अन्वय में केन्द्रीय सरकार बैंक आफ इंडिया के प्रबंधन के सदस्य नियोजकों और उनके कर्मचारियों के बीच, अन्वय में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधि-करण/अस न्यायालय, चंडीगढ़ के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को २७-२-२००१ को प्राप्त हुआ था।

[सं. एल-१२०१२/३८२/९२—आई आर (बी-११)]
सी गंगाधरन, अवसर सचिव

New Delhi, the 28th February, 2001

SO 657—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour Court, Chandigarh as shown in the annexure in the Industrial Dispute between the employers in relation to the management of Bank of India and their workman, which was received by the Central Government on 27 February, 2001.

[No. L-12012/382/92-IR(B-II)]

C GANGADHARAN, Under Secy.

ANNEXURE

BEFORE SHRI B. L. JATAV, PRESIDING OFFICER, CENTRAL GOVT., INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHANDIGARH.

Case No I D 34/93

Harbhajan Singh,
C/o General Secretary,

Bank of India,
Employees Association Bank of India,
Building, Hall Bazar, Amritsar ... Workman
Vs.

Deputy Zonal Manager, Bank of India,
Bank Square, Sector-17, Post Bag-2,
Chandigarh. ... Management

APPEARANCES :

For the Workman : Hardial Singh.
For the Management : R. N. Lohan.

AWARD

(Passed on 8th February, 2001)

The Central Govt., vide Gazette Notification No. L-12012/382/92-IR(B. II) dated 5th March, 1993 has referred the following dispute to this Tribunal for adjudication ?

“Whether the action of the management of Bank of India in imposing and punishment of stoppage of two increments permanently with cumulative effect on Shri Harbhajan Singh justified ? If not to what relief is the workman entitled to ?”

2. Today the rep. of the workman expressed that he has no instructions to prosecute further on behalf of the workman. The workman has not filed any affidavit in this case. The case is pending since 1993. It seems that workman is not interested to prosecute the case. In view of the above situation, the present reference is returned to the Appropriate Govt. for want of prosecution. Appropriate Govt. be informed. Chandigarh, 8-2-2001.

B. L. JATAV, Presiding Officer

नई दिल्ली, 28 फरवरी, 2001

का.आ. 658:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पंजाब व सिंध बैंक के प्रबंधन के संबंध नियोक्तों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण श्रम न्यायालय चंडीगढ़ के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-02-01 को प्राप्त हुआ था।

[मं. एल-12012/464/87-आईआर/डी-II (ए)]

सी. गंगाधरण, अव्वर सचिव

New Delhi, the 28th February, 2001

S.O. 658.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour Court, Chandigarh, as shown in the annexure in the Industrial Dispute between the employers in relation to the management of Punjab & Sind Bank and their workman, which was received by the Central Government on 27-2-2001.

[No. L-12012/464/87-IR/DII(A)]
C. GANGADHARAN, Under Secy.

ANNEXURE

BEFORE SHRI B. L. JATAV, PRESIDING
OFFICER, CENTRAL GOVERNMENT INDUS-
TRIAL TRIBUNAL-CUM-LABOUR COURT,
CHANDIGARH

Case No. ID 6/88

Sarv Shri
Paramjit Singh, Ashok Kumar &
Pritpal Singh C/o
Tek Chand Sharma,
25, Sant Nagar, Civil Lines,
Ludhiana.

Workmen.

Vs.

Asstt. General Manager,
Punjab & Sind Bank,
Sector-17-B,
Chandigarh.

.. Management.

APPEARANCES

For the workmen : None.
For the management : Shri I. P. Singh Advocate.

AWARD

(Passed on 31st January, 2001)

The Central Govt. vide gazette notification No. L-12012/464/87-D-II(a) dated 12th February, 1988 has referred the following dispute to this Tribunal for adjudication :

“Whether the action of the management of Punjab & Sind Bank in terminating the services of S/Shri Ashok Kumar, Pritpal Singh and Paramjit Singh, Deposit Collector is justified ? If not, to what relief are the workmen concerned entitled ?”

2. The appropriate Govt. has referred the dispute relating to Sarvshri Ashok Kumar, Pritpal Singh and Paramjit Singh in single reference order but these workmen have filed their claim statement and rejoiner separately. The dates of their appointment as a deposit collector is different but their date of termination is the same which is 17-1-1986.

3. The case of the workmen in brief is that Shri Paramjit Singh was appointed as a deposit collector on 16-6-1978, Shri Pritpal Singh on 11-1-1981. Shri Ashok Kumar has not filed his claim statement. They continued to work as deposit collector till 17-1-1986. Every workman had been doing the duties of ledger posting, maintenance of index register of Chhoti Bachat Scheme account, maintenance of subsidiary book and maintaining the balances etc. and doing other duties as required by the manager of the branch at Khanna branch. They had been working under the control of the branch manager for all purposes and used to be paid monthly wages on performance basis regularly. They used to receive cash from depositors of the bank by rendering services at their door steps according to the scheme and policy of the bank. They maintained the books of the bank regularly which were checked by the supervisor concerned regularly. The services of the workmen were terminated on 17-1-1986 without any charge sheet. No enquiry was held by the management. The notice of one month

was not given to them by the bank. Thus their services were terminated illegally contravening the provisions of law.

4. At the time of their termination of services junior persons were retained in service by the bank and new employees were also employed but opportunity was not given to the workmen for employment though the post and the work was of permanent nature. The workmen are entitled to be reinstated with full back wages and all benefits.

5. As per written statements filed by the management the case in brief is that the workmen were not the regular employees of the bank. The relationship of master and servant between them did not exist. Therefore, they are not workmen as defined in I.D. Act, 1947. They were enrolled as an agent under the Chhoti Bachat Scheme to collect deposit from the depositors of the bank. They were required to carry out their functions only as an agent and not to perform any other banking work. They were independent agents for the performance of collecting small deposits from small depositors. They were never paid any monthly remuneration but commission was paid to them on the amount of deposits collected by them. The Chhoti Bachat Scheme was found by the bank uneconomical and fraud prone. Therefore, the bank decided to wind up the same scheme, after winding up the scheme the agency of the workmen was no longer required which was discontinued by the bank. Their services were not terminated but their agency was discontinued. Therefore, they are not entitled to get any relief from the management. Their claim statements deserves to be dismissed.

6. In this case the dates of appointment and date of termination are admitted facts. It is also an admitted fact that all the workmen had worked as a deposit collector at Khanna Branch of the bank.

7. In this case, Shri Pritipal Singh and Paramjit Singh have filed their affidavits and other documents. They were directed to appear in person in the Tribunal for cross-examination but they did not appear and dare to face the cross-examination. They remained absent, therefore, the case was proceeded ex-parte against them.

8. The management has filed the affidavit of T. P. S. Gujral. He had filed separate affidavits relating to Sarvshri Paramjit Singh, Pritipal Singh and Ashok Kumar along with relevant documents. The representative of the management has not examined Sh. T.P.S. Gujral because no representative of workman was present to cross-examine the deponent of the management. Under these circumstances, this case has to be decided on the basis of affidavit and relevant record.

9. Shri Paramjit Singh and Pritipal Singh have deposed in their affidavits that they were employed by the bank as deposit collectors and they were the employees of the bank. Monthly wages were paid to them. They were working under the control of branch manager and performed the duties of a bank employees. The witness of the management Shri T. P. S. Gujral has deposed that all the workmen were appointed as an agent under the Chhoti Bachat Scheme. They were paid commission as per agree-
771 GI/2001—17

ment dated 16-6-1978, in case of Paramjit Singh, dated 3-4-1978, in case of Ashok Kumar and dated 9-1-1981 in the case of Pritipal Singh. On perusal of these agreements, it is evident that all the workmen were appointed as an agent to collect small deposit from small depositors and the amount so collected was required to be deposited in the bank. They were not paid monthly wages but the commission was paid to them on the amount so collected by them from the depositors. Thus it is clear that they were not the regular employees of the bank but they were discharging the duties of a collecting agents. As per definition of the workman given in Section 2 of the I.D. Act, 1947, they are not the 'workmen'. Therefore, the provisions of I.D. Act do not apply in this case. Therefore these petitioners are not entitled to get any relief under the provisions of industrial law. Their claim deserved to be dismissed in toto.

10. On the basis of the discussions made in the preceding paragraph of this award, the reference is answered that the action of the management of Punjab & Sind Bank in terminating the services of S/Shri Ashok Kumar, Pritipal Singh and Paramjit Singh, deposit collectors is justified. Consequently, they are not entitled to get any relief from the management. The parties shall bear their own cost. Appropriate Government be informed.

Chandigarh.

31-1-2001.

B. L. JATAV, Presiding Officer

नई दिल्ली, 28 फरवरी, 2001

का.अ. 659.—श्रीयोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार युनियन बैंक ऑफ इंडिया के प्रबंधन के सदस्य नियोजकों और उनके कर्मचारियों के बीच, अनवरत में निर्दिष्ट श्रीयोगिक विवाद में श्रीयोगिक अधिकरण पृष्ठ के पंचाट की प्रकाशित कम्ती है जो केन्द्रीय सरकार को 27-02-2001 प्राप्त हुआ था ।

[म. एल-12013/19/98-आई आर (बी-II)]

सी. गंगाधरन अथवा सचिव

New Delhi, the 28th February, 2001

S.O. 659.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Pune as shown in the annexure in the Industrial Dispute between the employers in relation to the management of Union Bank of India and their workman, which was received by the Central Government on 27-2-2001.

[No. L-12013/19/98-IR-(B-II)]
C. GANGADHARAN, Under Secy.
ANNEXURE

BEFORE SHRI S. G. HANAIKAR : INDUS-
TRIAL TRIBUNAL : PUNE

Reference (T) No. 7 of 1999
Exh. No. O-6.

BETWEEN

Union Bank of India,
Jeevan Prakash LIC Building,
University Road,
Pune (Maharashtra) 411 005

.. First Party.

AND

Their Workman

.. Second Party.

In the matter of : For adjudication of an industrial dispute pertaining to "Whether the action of the management of Union Bank of India in not paying the Telephone Operator's Allowance to Shri A. H. G. Shaikh, Telephone Operator is legal and justified? If not, to what relief the said workman is entitled?"

APPEARANCES :

Shri V. H. Bhadha, Union Representative for the second party.

Shri Ravi Khanna, Management Representative for the first party.

AWARD

14th February, 2001

1. This Reference is made by the Central Government under Sections 10(1)(d) and 10(2-A) of the Industrial Disputes Act, 1947 ("the I.D. Act" hereinafter) for adjudication of an industrial dispute between Union Bank of India, ... First Party and the workmen employed under them, ... Second Party, as follows :—

"Whether the action of the management of Union Bank of India in not paying telephone operator's allowance to Shri A. H. G. Shaikh Telephone Operator is legal and justified? If not, to what relief the said workman is entitled?"

After the receipt of the reference from the Government the notices were sent to the parties to the dispute and they appeared in the Court.

2. The Union Bank of India Employees Union i.e. the Hind Party to this Reference ("the Union" hereinafter) submitted a statement of claim at Exh. U-1 and contended therein that the Union is duly registered under the Trade Unions Act, 1926 and represents the employees of the Union Bank of India, i.e. the First Party ("the Bank" hereinafter). Shri Altav Hussain Gulam Shaikh ("the employee" hereinafter) is working as a Telephone Operator in Award Staff Cadre. His services are governed by the Awards and by Bipartite Settlements. As per the terms of the service, it is contended that the said employee is entitled to get the Telephone Operator's allowance at the rate of Rs. 70 per month. But the Bank declined to pay this special allowance to the employee. Hence the present dispute is referred to this Tribunal. The employee is working in the Bank at his Regional Office at Nasik Road and is a blind person. This dispute in question was initially referred to the Conciliation Officer, but since the Bank did not accept this demand of the employee, the said authority referred the matter to the Government.

3 While justifying the demand in question, it is contended by the Union that the employee is working as a "Permanent Employee in the Bank." in the

Clerical Cadre. As per the Bipartite Settlement (para No. 5.2 read with para 5.9) the said employee is entitled to get the Telephone Operator's Allowance at the rate mentioned above. The service conditions of the employees working in the Bank are uniform throughout the Banking Industry and the employees working in the Nationalised Banks are governed by the same conditions. The Telephone Operators operating less than three lines are also entitled to get the allowance in question. Hence the dispute is referred to adjudicate as to whether Shri Shaikh, the employee working in the Bank as a Telephone Operator is entitled to get the Telephone Operator's allowance and if not, to what relief the said employee is entitled?

4. The First Party submitted the written statement at Exh. C-3 and contended that the present dispute cannot be branded as an "industrial dispute". According to the Bank, the employee is working in the Bank since January, 1989 and he raised the dispute of the instant nature at too belated stage and therefore, it suffers from laches. While justifying the action of denying the relief in question to the employee, it is contended by the Bank that in the appointment letter given to the employee it is nowhere stated that the employee will be entitled to get any special allowance and on accepting this term of the employment, the employee had joined the service. The Bank referring to the terms of the Bipartite Settlement dated 19-10-1966 further contended that as per the said settlement the work of "Telephone Operator" means the work of PBX board having minimum three lines on regular assignments and therefore, such an employee who is operating only two external lines, is not entitled to claim the disputed special allowance. It is therefore, submitted that the demand raised in dispute is not substantiated and the demand therefore, deserves to be rejected.

5. Each party to the Reference has examined only one witness. Let us therefore advert ourselves to appreciate the said evidence together with the documentary evidence to adjudicate the present dispute.

6 Admittedly since the year 1989 the employee is working as a Telephone Operator in the employment of the Bank and further that he is working on PBX board having two lines only, throughout his service career. Shri Vivas, the witness examined by the Bank deposed that the Bipartite Settlement is applicable to the Banking Industries who signed such settlement. The Bank while justifying their decision to refuse to pay the special allowance to the employee contended that in the appointment letter (Annexure 'D' to the statement of claim) there is no reference that the employee would get any such special allowance. It is submitted before me that these conditions were accepted by the employee while joining the employment and therefore now he cannot claim such a special allowance on this ground.

7. This submission in my view, is not acceptable for the simple reason that in the appointment letter dated 13-1-1989 at Sr. No. 7 it is specifically mentioned that the employee would be bound by the Rules and Regulations of the Bank applicable to the workman staff from time to time in force. The Settlements between the parties to the Reference arrived at from time to time are binding on the Bank as well as its employees and therefore, the terms of

such settlements undoubtedly form the part of the service rules. The employee therefore is entitled to claim that the benefits on the basis of such settlements. Such benefits cannot be refused only on the ground that there was no reference in the appointment letter of the employee that the employee would be entitled to get such an allowance.

8. The Bipartite Agreement relied upon by the parties to this Reference is admitted and the benefits of it are given to the employees of various categories working in the Bank. The Bank is coming with a case that as per the provisions of this Bipartite Settlement, the payment of the special allowance is made only when the Telephone Operator is required to operate minimum three or more external lines and since the employee has admittedly never worked on the PBX board having three or more external lines, he is not entitled to get the special allowance called as 'Telephone Operators' Allowance. I have gone through the said Agreement and it appears from the record that as per Chapter V the Special Allowances are given to the workmen of various categories including the category of the Telephone Operators. Such a category of workmen nowhere makes any difference amongst the workmen working as the Telephone Operator on PBX Board having three or more external lines and the Telephone Operators working on the PBX board having less than three lines. It is true that Part I of the settlement (produced along with Annexure B to the statement of claim) shows that the work of Telephone Operator involves operating a Telephone PBX board with minimum three external lines on regular assignment. Taking the help of this provision in the settlement, the Bank is refusing to accept the demand in question saying that since the employee is operating the telephone PBX board having less than three external lines, such allowance cannot be granted to him.

9. This reason put forth by the Bank in refusing to accept the demand in question is devoid of any merits in my view. It has some reasons. Admittedly, as per the Bipartite Settlement, the special allowances are given to the workmen of the category called as "Telephone Operators". This category nowhere makes any difference on the point as regards the number of external lines operated by the Telephone Operators on PBX board. The terms of the Settlement relied upon by the Bank only given the nature of the work of the Telephone Operators saying that the work of such Operators involves operating the telephone PBX board with minimum of three external lines on regular assignments. Thus, even if the employee is working as a Telephone Operator, operating the telephone PBX board with less than three external lines, it cannot be said that such an employee is not the workman working as a "Telephone Operator". Once the employee is posted and appointed as a Telephone Operator, he gets the right to claim the special allowance because the Bipartite Settlement nowhere emerges any term that any Telephone Operator operating telephone PBX board with less than three external lines is not entitled to get the special allowance when, to repeat again, the special allowance is given to the person working as Telephone Operators and it has nothing to do with the number of the external lines of the PBX board operated by the employee. If the special allowance is to be given as per the Bipartite Settlement to the Telephone Ope-

rators, it is the duty of the Bank to give the work of PBX Board having three or more external lines to the employees working as the Telephone Operators and if such an employee refuses to work, then at the most, it can be said that such an employee is not entitled to get the said allowance in question. The provision in the Bipartite Agreement, relied upon by the Bank nowhere speaks about the definition of the workmen working as "Telephone Operator" but it simply speaks of the nature of the work of the Telephone Operator. If the Bank did not give such a work to the employee appointed as a Telephone Operator, the special allowance cannot be refused on the ground that such an employee was operating PBX board with less than three external lines on regular assignment. It is also not the case of the Bank that the employee working as a Telephone Operator operating the PBX board with less than three external lines and the other employee working as a Telephone Operator operating the PBX board with three or more external lines belong to the different categories of the workmen or that there is some difference in their wages or the status. There are no two categories of the Telephone Operators to make any discrimination. Therefore, I do not find any justification in the decision of the Bank to refuse to give special allowance to the employee.

10. I may, at the cost of repetition mention here that the Bank did not place on the record any Service Rules or the terms of the settlement which disentitle the employee working as a Telephone Operator operating the PBX board with less than three external lines, to claim the special allowance, in question.

11. In Award passed in Reference CGIT-2 : 26 of 1986, the same relief was granted to the employee working in the category of a Telephone Operator in the Bank of Baroda. Though this decision is not binding on this Tribunal as a precedent, still, it acts as a corroboration to the view taken by me. There is nothing on the record to show that the Bank of Baroda ever challenged this decision.

12. It is also submitted before me in the written notice of the arguments by the Bank that the employee joined the employment in the year 1989 and the claim was raised for the first time somewhere in the year 1999. This delay caused in raising the dispute disentitles the employee to claim the special allowance, as urged before me. On the point of delay and laches the reliance is placed by the Bank on the decisions of the Bombay High Court and the Apex Court in the cases of (a) R. Ganesan Vs. Union of India [1993 (67) FLR 436], & (b) Raj Bhushan Gandhi Vs. Secretary Haryana State Elec. Board [1993-S.C.C. (L&S) 407 and (c) State of Punjab & Others Vs. Gurudev Singh [1992(1) L.L.J. 283]]. All these cases are regarding the industrial dispute wherein the termination orders were challenged after the period of seven years and therefore, it was held that the laches on the part of the employee disentitles him to any equitable reliefs. In case of termination of employment, there is no recurring cause of action and therefore, if the termination order is challenged after a great lapse of time, the said delay disentitles the employee from raising the dispute. But the refusal to pay the special allowance is the recurring cause of action and therefore, on the point of delay such a right of an employee cannot be denied.

13. It is also submitted before me by the Bank that as per the terms of the Bipartite Settlement, if there is any difference of opinion regarding interpretation of any provisions of such settlement, the matters need to be taken in conciliation of Indian Banks Association and the Bank of India Banks Association; National Federation of Bank Employees, the Bank Employees' Federation of India and the Indian Nationalised Banks Employees' Federation, for discussion and settlement. It is submitted before me that without adopting this recourse, the employee has straightway raised the dispute before the Tribunal, which is not correct. This contention is also of not any merits for the simple reason that the said settlement in the terms, does not close the doors of this Tribunal to the employee who claims the benefits of the Bipartite Settlement. The Reference therefore, cannot be rejected, on this count.

14. Therefore, I am of the view that the demand in question is substantiated by the employee. The Bank is not justified in refusing to grant the employee the special allowance in terms of the Bipartite Settlement. The employee in my view, is therefore, entitled to get the Telephone Operator's allowance from the Bank from the date of his appointment as a Telephone Operator. Hence the Award.

AWARD

The Reference is allowed. The action of the Union Bank of India i.e. the First Party in not paying the Telephone Operator's Allowance to Shri A. H. G. Shaikh is not legal and not justified. The said employee is entitled to get the Telephone Operator's allowance since the date of his appointment at the rate given in the Bipartite Settlement.

The First Party Bank is ordered to pay the said employee the Telephone Operator's allowance at the rate specified in the Bipartite Settlement from the date of the appointment.

The parties to bear their costs.

Award is made accordingly.

14th February, 2001.

S. G. HARTALKAR, Industrial Tribunal Pune

नई दिल्ली, 28 फरवरी, 2001

का.आ. 660:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पंजाब वैश्वता बैंक के प्रबंधन के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय चंडीगढ़ के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-02-2001 को प्राप्त हुआ था।

[सं. एन-12013/91/98-आई आर (बी-II)]

सी. गंगाधरन, अवसर सचिव

New Delhi, the 28th February, 2001

S.O. 660.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour

Court, Chandigarh as shown in the annexure in the Industrial Dispute between the employers in relation to the management of Punjab National Bank and their workman, which was received by the Central Government on 27-2-2001.

[No. L-12013/91/98-IR(B-II)]
C. GANGADHARAN, Under Secy.

ANNEXURE

BEFORE SHRI B. L. JATAV, PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHANDIGARH.

Case No. I.D. 102/99

The General Secretary,
Punjab National Bank,
C/O PNB, Amar Market,
Jammu Tawi (J&K)

... Workman.

Vs.

The Regional Manager,
PNB, R.O. 48-A/B, Ghandhinagar,
Jammu (J&K) ... Management.

APPEARANCES :

For the workman : None

For the management : Shri Vinod Kumar.

AWARD

(Passed on 1st February, 2001)

The Central Govt. vide Gazette Notification No. L-12013/91/98-IR(B. II) dated 31st March, 1999 has referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of PNB represented through its Regional Manager, Gandhinagar, Jammu in making payment of Hill and Fuel Allowances to the staff posted in Jammu in general and staff posted in Regional Manager's Office in particular since 1991 to 30-6-1998 is justified ? If not, to what relief the workman are entitled to ?"

2. Case repeatedly called. None appeared on behalf of the workman despite several notices. It appears that workman/Union is not interested to pursue with the present reference. In view of the above situation, the present reference is returned for want of prosecution. Appropriate Govt. be informed.

Chandigarh.

1-2-2001.

B. L. JATAV, Presiding Officer

नई दिल्ली, 5 मार्च, 2001

का.आ. 661:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय खाद्य निगम, नई दिल्ली के प्रबंधन के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नई

दिल्ली के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 2/3/2001 को प्राप्त हुआ था।

[सं. एल.-22012/117/96-आई.आर. (सी. II)]

एन. पी. केशवन, डेस्क अधिकारी

New Delhi, the 5th March, 2001

S.O. 661.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal New Delhi as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of F.C.I., New Delhi and their workman, which was received by the Central Government on 2-3-2001.

[No. L-22012/117/96-IR(C-II)]

N. P. KASHVAN, Desk Officer

ANNEXURE

BEFORE SHRI K. S. SRIVASTAV, PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL, NEW DELHI

I.D. No. 100/96

In the matter of dispute between:

Shri Naresh Pal

C/o Delhi Labour Union, Aggarwal Bhawan,
G.T. Road, Tis Hazari, Delhi-110054.

Versus

The General Maanger,

M/s. F.C.I. Project,

Implementation Division,

No. 42-44, Nehru Place, New Delhi-110019.

APPEARANCES :

Shri Rajiv Aggarwal—for the workman.

None—for the Management.

AWARD

The Central Government in the Ministry of Labour vide order No. L-22012/117/96-IR(C-II) dated 6-11-96 has sent this reference under section 10(1)-(d) and 10-2(A) of the I.D. Act (hereinafter referred to as Act for the adjudication of the industrial dispute on the following terms:—

“Whether the action of the management of FCI in terminating the services of Shri Naresh Pal, Driver w.e.f. 9-5-95 is justified? If not, what relief the concerned workman is entitled to?”

2. As per allegation of the workman he was appointed under the Food Corporation of India (hereinafter referred to as Management) w.e.f. 1-2-95 as a Driver and he was being treated as daily rated/casual muster roll worker though he was paid his wages in the end of the month. His last drawn wages were Rs. 2100 which was given to him as fixed and revised from time to time under the minimum wages Act by the appropriate government. The workman allegation again is that his counter part performing the identical work were treated as regular employees and were paid their salary in the pay scale of 771 GI/2001—18

Rs. 1200-2040 with usual allowances admissible under the rules and were also getting other service benefits of uniform, E.L. casual leave etc. but the workman was denied all these benefits.

3. The workman has further alleged that his services were terminated w.e.f. 9-5-95 without assigning any valid reason. The action of the management terminating his services was wholly illegal and unjust. The workman was performing job which was of regular and permanent nature.

4. The workman has challenged his termination on the ground firstly that since he was employed for a job of regular nature but was treated as a daily rated casual and muster roll employee for a indefinite period and payment of lessor remuneration than those doing identical work amounted to unfair labour practice under 2(ra) read with item No. 10 of Vth schedule and section 25-T of the Act. Secondly that after completion of 90 days of continuous employment he had acquired status of permanent employee as provided in model standing orders framed under the Industrial Disputes Standing Orders Act, 1956 applicable to the workman as well as to the management. Neither any charge sheet was served on the workman nor any domestic enquiry was conducted against him and the opportunity of being heard was also not given. Thirdly that he was shown hostile discrimination since juniors to him were retained in the service and he was thrown out of job. Fourthly that his termination amounted to retrenchment and it was bad because no seniority list was displayed nor any notice and notice pay was offered to him, service compensation was also not given. Fifthly that the termination is violative of section 25-F, H of the Act and Rule 76 and 77 of the I.D. Act, 1957 (hereinafter referred to as Rules).

5. The workman has further stated that despite service of the demand notice on the management nothing could be done favourable to him by the management.

6. The Management has contested the whole case of the workman. At the first stage the management challenged legality of the reference and it is stated that the reference has been made by the appropriate government in a routine and casual manner without the application of mind. Since it does not disclose any cause of action and also the relationship of the workman and the management. The question of the relationship of employer and employee between the workman and the management is a vital point for consideration for the adjudication of the terms of reference. On merit the management has denied that the workman had continuously worked as a driver for the period from 1-2-95 to 9-5-95. According to the Management workman was engaged for a fixed term for the month of February, 95 and March, 1995 purely on temporary basis and was thus paid charges of Rs. 2100 PM prescribed by the minimum wages Act. The Management has further denied the workman's contention of equal pay for equal work on the basis that his counter parts were doing identical work and in this respect it is stated that it would be wrong to say that the counter part of the workman were doing identical work as that of the workman. The counter parts were given regular employment under the F.C.I. Staff Regulation when this status was not enjoyed by the workman whose services were

purely on hired basis for a fixed period. The Management has further stated that since the workman was employed purely on temporary basis for a fixed terms for the February, 95 to March 95. His services has automatically came to an end and the question of his termination of his services never arisen.

7. It is further stated that since workman was engaged only for a short period from the month of February, 95 and March, 95 hence question of engaging him continuously for 90 days never arisen.

8. It is further stated that since workman was engaged only for a period from the month of February, 95 and March, 95 hence question of engaging him continuously for 90 days never arisen.

9. It is further stated that since workman was engaged only for a short period from month of February, 95 and March, 95 hence question of engaging him continuously for 90 days never arisen.

10. The Management has denied that any hostile discrimination was shown to the workman. Management has stated that since workman was never given regular appointment question of his retrenchment preparation of seniority list and serving of notice or payment of compensation do not arise. Management has stated that the reply of demand notice received was already given to the workman.

11. In the rejoinder filed by the workman he has reiterated his allegations made in the statement of claim.

12. It appears that vide order dated 1-8-97 management was proceeded ex-parte in the case. The management has not filed any evidence in the case. Workman has only filed his affidavit and has examined himself as WW1. Affidavit of the workman has been marked as Ex. WW1/1.

13. Arguments on behalf of the workman has been heard and necessary material available on the record considered.

14. As regards the preliminary objection of the management about the illegality of the reference which is based mainly on the ground that terms of reference neither discloses any cause of action nor the relationship of employer and employee between the management and the workman and also that the work and was never given employment under the management on a regular basis and simply being a casual worker he cannot claim his reinstatement more particularly when his termination had never taken place. These allegations of the management I find can be decided effectively and conveniently after recording the findings on the merit of the case. Hence I firstly proceed to examine the whole case on merit.

15. While challenging the legality of his termination the workman at the first stage has contended that after completion of 90 days of his continuous employment he had acquired the status of the permanent employee under the management after the completion of 90 days of his continuous employment as provided in Model Standing Orders framed for the Industrial Disputes (Employment Standing Orders) Act 1946 applicable to the workman and the management alike. In this respect the workman's specific case is that he was employed as driver under the management w.e.f. 1-2-95 and his services were terminated

w.e.f. 9-5-95. The Management has not denied the applicability of the standing orders as stated by the workman but has asserted that since the workman was employed and had worked for a short period of two months viz. February, 95 and March, 95 the question of his continuous employment for 90 days does not arise. On consideration of the written statement of the management it is found that the workman's case of his illegal termination has been denied by the management only on the ground that the workman was employed only for a fixed period of two months i.e. February, 95 and March, 95 and his services had automatically come to an end after the expiry of the period of two months.

16. The question thus arises whether the workman had continuously worked for 90 days from 1-2-95 to 9-5-95 or he was employed only for a fixed period of two months as alleged by the management.

17. The workman in support of his allegations has filed his affidavit and has corroborated the facts alleged in the statement of claim. He has examined himself also on oath as WW1. He has proved his affidavit marked as WW1/1. He could not be cross-examined by the management and his whole statement goes uncontroverted. The affidavit of the workman filed in the case has properly been verified and duly sworn before the competent authority and in my view it cannot thus be disbelieved. Workman has also filed documentary evidence to show that he had worked upto 9-5-95. He has filed photo copy of his challan certificate being challaned by Delhi Traffic Police for the improper driving of vehicle of No. DL3C-E725. It is paper No. U-10 of the list of the documents of the workman. The workman's categorical statement is that he was challenged by the police on 6-4-95. While driving the management's Jeep Car No. DL3C-E-725 he has further filed photo copy of the report lodged by the workman at the police station of Chankva Puri Delhi on accident of the said Jeep Car No. DL3C-E-725 is with a Maruti Car on 4-5-95. The Management though has denied about the fact that the Jeep Car aforesaid was challenged by the Traffic Police and has asserted that the log book of the said vehicle maintained in the department shows that the said Jeep Car was never taken to Gurgaon at 12 Noon on 6-4-95 and the documents filed by the workman was a fabricated one. The Management has also stated in the written statement that the photo copy of the log book has been filed in the case.

18. After having considered entire facts and circumstances of the case in this respect I do not find the management's case as satisfactory. The Management has failed to file photo copy of the log book. The Management has not produced any evidence in support of its case when as seen above the workman has filed his affidavit and has stated on oath also. Since the Management has failed to file log book as stated by it the challan certificate filed by the workman in my view cannot be doubted.

19. In view of the fact I find that the workman has been able to establish the case of his continuous employment from 1-2-95 to 9-3-95. Management's case that workman was employed only for two months i.e. for the month of February and March 95. Under the circumstances I find cannot be relied upon.

20. Now coming to the workman's contention that he has acquired permanent status after completing his continuous employment for 90 days in view of the fact that the evidence adduced by him and has been found reliable I do not find any reason to disbelieve the workman and I find and hold that the workman had remain in continuous employment under the management for 90 days w.e.f. 1-2-95 to May, 95 and had acquired permanent status in service.

21. The workman's case specifically is that neither any charge sheet was served on him nor any domestic enquiry was held against him before terminating his services.

22. In view of the finding recorded above of acquiring permanent status in service by the workman I find that it is a recognised principle that the services of a permanent employee can be brought to an end after giving him show cause notice and after holding a domestic enquiry, more particularly when it is based on misconduct. In the present case the workman's clear assertion made in para 3(v) that it was case of misconduct and no charge sheet was served on him nor any domestic enquiry was held. The workman's this allegation has been denied by the management only on the ground that he was temporarily appointed for a fixed period of two months. This case of the management has already been not accepted as satisfactory and reliable. In view of the fact workman's termination from service is held illegal and unjust. As regards other pleas of the workman against the illegality of the termination of hostile discrimination and retaining the juniors in the service, failure to give notice and notice pay and also of non-payment of service compensation and non display of seniority list, after careful examination of the facts and circumstances of the case I do not find it satisfactory. All the aforesaid pleas taken by the workman in my view becomes applicable only in the case of retrenchment of the employee. Definition of the retrenchment is given in section 2(oo) of the Act. It is mentioned below:—

“(oo) “Retrenchment” means the termination by the employer of the service of a workman for any reason whatsoever, otherwise than as a punishment inflicted by way of disciplinary action, but does not include.

- (a) voluntary retirement of the workman; or
- (b) retirement of the workman on reaching the age of superannuation if the contract of employment between the employer and the workman concerned contains a stipulation in that behalf; or
- (bb) termination of the service of the workman as a result of the non-renewal of the contract of employment between the employer and the workman concerned on its expiry or of such contract being terminated under a stipulation in that behalf contained therein; or
- (c) termination of the service of a workman on the ground of continued ill-health;”

22. From the perusal of the very first paragraph it becomes clear that the termination which is given as punishment by way of disciplinary action is excluded from the retrenchment.

23. In the present case it is already found above that on account of acquiring a permanent status in service by the workman he could be terminated from the service only after service of charge sheet and after holding domestic enquiry. Thus in my view the workman's case is not covered under the definition of retrenchment given in section 2(oo) of the Act and all the pleas taken by the workman based on his retrenchment thus cannot be accepted.

24. Now coming to the management's preliminary objections I find that the management's objection against legality of the reference is mainly based on the fact that the workman was never employed on a regular basis and no relationship of master and servant had existed between them after the finding of acquiring permanent status in service by the workman as recorded, above I do not find that the said objection of the management is tenable and still holds good. I do not agree with the management's contention that in terms of reference the relationship of master and servant between the management and the workman was required to be mentioned as a fact: the term of reference in my view is nothing but an issue framed for the adjudication of the dispute between the parties and it is not required that each fact on which issue is based be given. The Management's objection I find is devoid of merit and it is not accepted.

25. In view of the discussions made above it is found that the workman's termination from service is illegal and unjust and it deserves to be quashed. The workman shall be entitled for his reinstatement in service from the date of termination of his services with all back wages and other service benefits available in accordance with law. The terms of reference is answered in the like manner and award is also given accordingly.

Further it is ordered that the requisite number of copies of this award may be forwarded to the Central Govt. for necessary action at their end.

K. S. SRIVASTAV, Presiding Officer

February 28, 2001.

नई दिल्ली, 9 मार्च, 2001

का.आ. 662.—औद्योगिक विवाद अधिनियम, 1947 (1917 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस. ई. सी. एन. के प्रबंधकों के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/धर्म न्यायालय, नागपुर के पंचाट को प्रकथित करती है, जो केन्द्रीय सरकार को 07 मार्च 2001 को प्राप्त हुआ था।

[सं. एन-22012/565/99-सी-11]

एन. पी. के. जैन, डैस्क अधिकारी

New Delhi, the 9th March, 2001

S.O. 662.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal/Labour Court, Nagpur, as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of S.E.C.L. and their workman,

which was received by the Central Government on 07 March, 2001.

[No. L-22012/565/99-C-II]

N. P. KESHVAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL, NAGPUR

PRESENT :

Shri B. G. Saxena, Presiding Officer.

Reference No. CGIT : 278/2000

Employers in relation to the Management of
Sub Area Manager, Chirmiri Sub Area

AND

Their Workman Shri Vidya S/o Manglu

AWARD

The Central Government, Ministry of Labour, New Delhi, by exercising the powers conferred by clause (d) of sub section (1) and sub section 2(A) of section 10 of the Industrial Dispute Act, 1947 has referred this dispute for adjudication vide order No. L-22012/565/99/IR (CM II) dated 14/15/09-2000 on the following schedule.

SCHEDULE

"Whether the action of the Sub Area Manager, Chirmiri Sub Area of SECL, PO : Chirmiri, Distt. Korea (MP) in terminating Sh. Vidya S/o Manglu, Ex expositive Carrier from company services w.e.f. 30-10-98 is legal and justified? If not, to what relief the workman is entitled?"

This reference has been sent by Government of India, Ministry of Labour, New Delhi for adjudication to this court and the notices were issued to the parties on 25-9-2000.

On 12-10-2000 an application was submitted by the workman that he wants to get the reference transferred to the CGIT Jabalpur and has moved an application to the Ministry of Labour at New Delhi about it. On 16-11-2000 again the Secretary of the union moved an application for adjournment. He was directed to bring the transfer order if any has been passed. Again the case was adjourned to 05-01-2001. On 05-01-2001 Sh. Ravindra Tiwari, Sachiv, Bhartiya Khadan Mazdoor Sangh moved an application for adjournment. The case was adjourned to 28-02-2001.

Today, the case was taken up. Neither the workman turned up nor his representative of union appeared to file statement of claim. The above applications moved on behalf of workman show that he is not interested in submitting his statement of claim and he is deliberately avoiding to file statement of claim.

In the above circumstances when the workman is himself not interested in proceeding with the case, it is no use to keep the case lingering on. The reference is therefore disposed off for want of prosecution.

ORDER

The reference is disposed off for want of prosecution as no statement of claim has been filed by the workman or his representative of the union.

Dated : 28-02-2001

B. G. SAXENA, Presiding Officer

नई दिल्ली, 9 मार्च, 2001

का.आ. 663.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार डब्ल्यू. सी. एल. के प्रबंधन के संबंध नियोक्तों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम मंत्रालय न्यायालय नागपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 07 मार्च 2001 प्राप्त हुआ था।

[सं. एल-42011/90/99-सी-II]

एन. पी. केशवन, डेस्क अधिकारी

New Delhi, the 9th March, 2001

S.O. 663.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal/Labour Court, Nagpur, as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of W.C.L. and their workman, which was received by the Central Government on 07 March, 2001.

[No. L-42011/90/99-C-II]

N. P. KESHVAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL, NAGPUR

PRESENT :

Shri B. G. Saxena, Presiding Officer.

Reference No. CGIT : 254/2000

Employers in relation to the Management of
The General Manager, Kanhan Area, WCL

AND

Shri Chandrabhan

AWARD

The Central Government, Ministry of Labour, New Delhi, by exercising the powers conferred by clause (d) of sub section (1) and sub section 2(A) of section 10 of the Industrial Dispute Act, 1947 has referred this dispute for adjudication vide order No. L-42011/90/99/IR (DU) dated 25/28-8-2000 on the following schedule.

SCHEDULE

"Whether the action of the Manager, Tandsi Project of WCL, PO : Tandsi, Distt. Chhindwara (MP) in dismissing the services of Shri Chandrabhan S/o Triloki, Trammer of Tandsi Project of WCL, Kanhan Area w.e.f. 23-6-97 is justified? If not, to what relief the workman is entitled?"

In this reference notices were issued to both the parties for appearing in the court on 3-10-2000. The notices were sent to the parties on 17-09-2000. The notice was sent to the Secretary, R.K.K.M.S., PO : Chandametta, Distt. Chhindwara on 18-09-2000 as per despatch register serial No. 866. Neither the workman turned up nor any representative of his union turned up to contest the case.

In this case 30-10-2000, 4-12-2000, 25-1-2001 and 22-2-2001 were fixed for filing the statement of claim by the workman. The workman Chandrabhan or the representative of his union did not file any statement of claim in this case. In the aforesaid circumstances the reference should be disposed off for the want of prosecution.

ORDER

The workman or his union representative did not submit any statement of claim in this case though several dates were given as mentioned above. The reference is therefore disposed off for want of prosecution.

Date : 22-2-2001

B. G. SAXENA, Presiding Officer

नई दिल्ली, 9 मार्च, 2001

का.आ. 664.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इन्ड्यू.सी.एल. के प्रबन्धन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नागपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 7 मार्च, 2001 की प्राप्त हुआ था।

[सं.एल-22012/466/99-सी-II]

एन.पी. केशवन, डेस्क अधिकारी

New Delhi, the 9th March, 2001

S.O. 664.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal/Labour Court, Nagpur, as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of W.C.L. and their workman,

which was received by the Central Government on 7th March, 2001.

[No. L-22012/466/99-C-II]

N. P. KESAVAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NAGPUR

PRESENT :

Shri B. G. Saxena, Presiding Officer.

Reference No. CGIT : 212/2000

Employers in relation to the Management of W.C.L.

AND

Their Workman Shri Kalveni Odel Yenkti.

AWARD

The Central Government, Ministry of Labour, New Delhi, by exercising the powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of section 10 of the Industrial Dispute Act, 1947 has referred this dispute for adjudication vide order No. L-22012/466/99-IR (C-II) dated 28-6-2000 on the following schedule.

SCHEDULE

"Whether the action of the management namely Sub Area Manager, Hindustan Lalpeth U/G Sub Area of WCL, PO : Lalpeth, Distt. Chandrapur in dismissing Sh. Kalveni Odel Yenkti, Ex. Coal Filler (Loader), Hindustan Lalpeth Colliery is legal, proper and justified? If not, what relief the workman is entitled and from what date? What other directions are necessary in the matter?"

This reference was received on 18-8-2000 and notices were issued to the parties for appearing and submitting the statement of claim on 16-10-2000.

On 16-10-2000 the workman did not appear and no statement of claim was filed. 7-12-2000, 2-1-2001, 2-2-2001, 8-2-2001, 13-2-2001 and 1-3-2001 were fixed for filing statement of claim. Nobody from the side of workman turned up to file the statement of claim. On the other hand a telegram was received on 6-8-2001 from the workman Sh. Kalveni Odel Yenkti for the adjournment of the case.

After this telegram, 8-2-2001, 13-2-2001 and 1-3-2001 were fixed, but on these dates also the workman did not turn up.

The counsel for management is present. The Sub Area Manager has submitted application on 8-2-2001 that the workman was absenting from his duty from 3-3-86 and after holding domestic enquiry his service was terminated on 30-8-1998. He remained absent

regularly from 1990 to 1996 and did not work for a single day during this period.

In view of the above facts the workman is not entitled to any relief. The workman has himself been avoiding to file statement of claim as discussed above.

ORDER

The workman has not submitted any statement of claim. In view of the circumstances discussed above the workman was regularly absent from 1990 to 1996 and his attendance was nil. The workman is not entitled to any relief.

The reference is answered accordingly.

Date : 1-3-2001

B. G. SAXENA, Presiding Officer

नई दिल्ली, 9 मार्च, 2001

का.अ. 665:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस.ई.सी.एल. के प्रबन्धतंत्र के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, नागपुर के पंचाट का प्रकाशित करती है, जो केन्द्रीय सरकार को 7 मार्च, 2001 को प्राप्त हुआ था।

[सं.एल-22012/565/99-सी-II]

एन.पी. केशवन, डेस्क अधिकारी

New Delhi, the 9th March, 2001

S.O. 665.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour Court, Nagpur, as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of S.E.C.L. and their workman, which was received by the Central Government on 7-3-2001.

[No. L-22012/565/99-C-II]
N. P. KESHVAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NAGPUR

PRESENT :

Shri B. G. Saxena, Presiding Officer.
Reference No. CGIT : 249/2000

Employers in relation to the Management of S.E.C.L.

AND

Their Workman Shri Shoukhlal S/o Dharam

AWARD

The Central Government, Ministry of Labour, New Delhi, by exercising the powers conferred by clause (d) of Sub-section (1) and Sub-section 2(A) of Section 10 of the Industrial Dispute Act, 1947 has referred this dispute for adjudication vide order No. L-22012/565/99-IR(CM-II) dated 27-1-, 7-8-2000 on the following Schedule.

SCHEDULE

"Whether the action of the management of SECL, Dbelwadih Project, Distt. Korba (M.P.) in terminating the services of Shri Shoukhlal S/o Dharam, Loader w.e.f. 12-12-1993 is justified? If not, to what relief the workman is entitled?"

This reference was received from Ministry of Labour, New Delhi and the case was registered on 5-9-2000. Notices were issued to both the parties on 7-9-2000 to appear in the court and file the statement of claim and other documents on 20-10-2000. Neither the Secretary of the Chhatisgarh Swatantra Mazdoor Union turned up nor workman Shoukhlal appeared in the court. The case was again adjourned to 11-12-2000, 29-12-2000 and 1-1-2001.

Both the parties absented. Neither the workman submitted any statement of claim nor the Secretary of the union appeared in the court. The case was adjourned to 30-1-2001.

On this date i.e. 30-1-2001 the order was passed for issuing notices to both the parties by registered post and the case was again adjourned to 21-2-2001. The workman received the notice on 1-2-2001. The acknowledgement receipt No. 249/2000 dated 30-1-2001 shows that the notice was served on the claimant.

No statement of claim was filed either by the workman himself or the Secretary, Chhatisgarh Swatantra Mazdoor Union. The case was again adjourned to 26-2-2001 for order.

In this case both the parties are avoiding to appear in the court since 20-10-2000. The workman has not submitted any statement of claim. In view of the above facts, it is evident that the workman is not taking interest in contesting his claim either himself or through union. The reference should be disposed off for want of prosecution.

ORDER

The workman Sh. Shoukhlal S/o Sh. Dharam did not turn up to submit his statement of claim in the court. His union representative is also did not prefer to file any statement of claim though the case was

adjourned repeatedly for providing opportunity to the workman. The reference is therefore disposed off for want of prosecution.

Dated : 26-2-2001

B. G. SAXENA, Presiding Officer

नई दिल्ली, 9 मार्च, 2001

का.आ. 666:—कर्मचारी भविष्य निधि एवं प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 2 खंड (टख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, दिनांक 22 मार्च, 1997 को भारत के राजपत्र के भाग-II खंड-3(ii) में प्रकाशित भारत सरकार श्रम मंत्रालय की अधिसूचना संख्या का.आ. 796 दिनांक 4 मार्च, 1997 में एतद्वारा निम्नलिखित संशोधन करती है, अर्थात् :—

अनुसूची में पैराग्राफ 2 से पूर्व, क्रम संख्या 16 के उपरान्त निम्नलिखित प्रविष्टियाँ अन्तः स्थापित की जाएंगी अर्थात् :—

- | | |
|---|--|
| 17. उत्तरांचल क्षेत्र में कार्यरत क्षेत्रीय भविष्य निधि आयुक्त/सहायक भविष्य निधि आयुक्त | उत्तरांचल राज्य |
| 18. झारखण्ड क्षेत्र में कार्यरत क्षेत्रीय भविष्य निधि आयुक्त/सहायक भविष्य निधि आयुक्त | झारखण्ड राज्य |
| 19. छत्तीसगढ़ क्षेत्र में कार्यरत क्षेत्रीय भविष्य निधि आयुक्त/सहायक भविष्य निधि आयुक्त | छत्तीसगढ़ राज्य |
| 20. मुख्यालय में क्षेत्रीय भविष्य निधि आयुक्त/सहायक भविष्य निधि आयुक्त | जम्मू एवं कश्मीर राज्य को छोड़कर सम्पूर्ण भारत |

[फा. सं. आर.-11013/3/95-एम.एस.-II]

जे.पी. शुकला, उप सचिव

New Delhi, the 9th March, 2001

S.O. 666.—In exercise of the powers conferred by clause (kb) of Section 2 of the Employees Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government hereby makes the following amendments in the notification of the Government of India in the Ministry of Labour S.O. No. 796 dated the 4th March, 1997 published in Part II Section 3(ii) of the Gazette of India dated 22nd March, 1997, namely:—

In the Schedule before paragraph 2 after number 16 the following entries shall be inserted, namely :—

- | | |
|---|---|
| 17. Regional Provident Fund Commissioners/Assistant Provident Fund Commissioners working in Uttaranchal Region. | The State of Uttaranchal |
| 18. Regional Provident Fund Commissioners/Assistant Provident Fund Commissioners working in Jharkhand Region. | The State of Jharkhand. |
| 19. Regional Provident Fund Commissioners/Assistant Provident Fund Commissioners working in Chhatisgarh Region. | The State of Chhatisgarh. |
| 20. Regional Provident Fund Commissioners/Assistant Provident Fund Commissioners at Head Office. | The whole of India except the State of J&K. |

[F. No. R-11013/3/95-SS. II]

J. P. SHUKLA, Dy. Secy.

नई दिल्ली, 13 मार्च, 2001

का.आ. 667:—कर्मचारी राज्य बीमा अधिनियम 1948 (1948 का 34) की धारा 1 की उप धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 01 अप्रैल, 2001 की उम तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय-4 अध्याय-5 और अध्याय 6 (धारा-76 की उप धारा (1) और धारा-77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबन्ध आन्ध्र प्रदेश राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात् :—

“आन्ध्र प्रदेश के जिला सेवक के मंडल सदामशिवपेट के राजस्व ग्राम यावापूर आश्रिताबाद, एन्केपल्ली, माचिरेडु-पल्ली, आत्माकूर तथा मुबारकपुर (ए)”।

[सं. एस-38013/8/2001-एस.एस.-I]

एल.एच. रूतगुल, अवर सचिव

New Delhi, the 13th March, 2001

S.O. 667.—In exercise of the powers conferred by Sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st April, 2001 as

the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapters V and VI (except Sub-section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Andhra Pradesh namely:—

“The areas falling within the limits of Revenue villages of Yawapur, Ashrithabad, Yenkeypally, Machireddypally, Athmakur and Mubarkapur (A) in Sadashivpet Mandal in Medak District in Andhra Pradesh.”

[No. S-38013/8/2001-SS.I]

L. H. RUOLNGUL, Under Secy.

नई दिल्ली, 14 मार्च, 2001

का.ग्रा. 668.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उप धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 01 अप्रैल, 2001 की उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय-4, अध्याय-5 और अध्याय-6 (धारा 76 की उप धारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है)

के उपबन्ध केरल राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात्:—

“जिला पालकाड के चिट्टूर तालुक में राजस्व ग्राम नल्लेपिल्ल के अधीन आने वाले क्षेत्र।”

[संख्या एस.-38013/9/2001-एस.एस.-I]

एल. एच. रुओलंगुल जूनियर सचिव

New Delhi, the 14th March, 2001

S.O. 668.—In exercise of the powers conferred by Sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st April, 2001 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapters V and VI (except Sub-section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Kerala, namely:—

“The areas within the Revenue villages of Nalleppilly in Chittor Taluk, Palakkad District.”

[No. S-38013/9/2001-SS. I]

L. H. RUOLNGUL, Under Secy.